



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

27 APR

सं० 14]

नई दिल्ली, शनिवार, अप्रैल 2, 1977/चैत्र 12, 1899

No. 14]

NEW DELHI, SATURDAY, APRIL 2, 1977/CHAITRA 12, 1899

219
3

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएँ

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

विधि, न्याय तथा कम्पनी कार्य मंत्रालय

(न्याय विभाग)

नोटिस

नई दिल्ली, 14 मार्च, 1977

का० आ० 1009 —इसके द्वारा, लेख्य प्रमाणक नियम (नोटेरीज रूल्स), 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को अखिलेश्वर दाम बैडगेल, एडवोकेट, जयपुर ने उक्त नियमों के नियम 4 के अधीन, जयपुर में लेख्य प्रमाणक (नोटेरी) का काम करने की नियुक्ति के लिए आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों तो वे इस नोटिस में प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जाएँ।

[संख्या 22/34/76-न्याय]

आर० वासुदेवन, सक्षम प्राधिकारी तथा उप-सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Department of Justice)

NOTICE

New Delhi, the 14th March, 1977

S.O. 1009.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956.

158 GL/76--1

that application has been made to the said Authority, under rule 4 of the said Rules by Shri Akhileshwar Das Badgel, Advocate, Jaipur (Rajasthan for appointment as a Notary to practise in Jaipur.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No 22/34/76-Jus]

R. VASUDEVAN, Competent Authority
and Dy. Secy

मुख्य मंत्रालय

नई दिल्ली, 15 मार्च, 1977

का० आ० 1010 —राष्ट्रपति, सचिवालय के अनुच्छेद 239 के खण्ड (1) के अनुसरण में निर्देश देते हैं कि संघ राज्य क्षेत्र, दादरा और नागर हवेली के प्रशासक राष्ट्रपति के नियंत्रण के अधीन रहते हुए और आगे आदेश होने तक दादरा और नागर हवेली (सिविल न्यायालय एवं प्रकीर्ण उपबंध) विनियम, 1963 (1963 का 8) की धारा 2 की उपधारा (2) के अधीन केन्द्रीय सरकार की शक्तियों का प्रयोग करेंगे।

[सं. यू०-11030/2/77-यू०टी०एल]

Division, JOD

122 No. 106 - 1-064

Date of 5 1. 13

Crd No.

Processed

Checked

Date of Transfer

हरीश चन्द्र बघेली, अवर सचिव

MINISTRY OF HOME AFFAIRS

New Delhi the 17th March, 1977

New Delhi, the 15th March, 1977

S.O. 1010.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administrator of the Union territory of Dadra and Nagar Haveli shall, subject to the control of the President and until further orders, exercise the powers of the central Government under sub-section (2) of section 2 of the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Regulation, 1963 (8 of 1963).

[No. U-11030/2/77-UTI]

H. C. BAKHSI, Under Secy

वित्त मंत्रालय
(राजस्व और बैंकिंग विभाग)
(बैंकिंग पक्ष)

नई दिल्ली, 11 मार्च, 1977

क्र० भा० 1011.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध 28 फरवरी, 1974 से प्रारम्भ होकर 28 फरवरी, 1977 को समाप्त होने वाली अवधि के लिए 'रत्नगिरी ग्रुपन को-ऑपरेटिव बैंक लिमिटेड, रत्नगिरी, पर लागू नहीं होगा।

[सं० एफ० 8/3/77 ए० सी०]

वी० एन० बहादुर, उप सचिव

MINISTRY OF FINANCE
(Department of Revenue & Bankag)
(Banking Wing)

New Delhi, the 11th March, 1977

S.O. 1011.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Ratnagiri Urban Co-operative Bank Ltd., Ratnagiri for the period from 28th February, 1974 to 28th February, 1977.

[No. F. 8/3/77-AC]

V. N. BAHADUR, Dy Secy.

नई दिल्ली, 17 मार्च, 1977

क्र० भा० 1012—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषित करती है कि उपर्युक्त अधिनियम की धारा 9 के उपबन्ध 5 अक्टूबर, 1977 तक 'विजया बैंक लिमिटेड, मंगलूर', पर उस सीमा तक लागू नहीं होगे जहाँ तक कि उनका सम्बन्ध इस बैंक द्वारा मंगलूर (दक्षिण कनारा) में भूत अथवा सम्पत्ति (प्लॉट ग्रांट टी० एम० संख्या 832) से है।

[सं० 15(6)-बी० प्रो० III/77]

मे० भा० उमगायकर, प्रवर सचिव

S.O. 1012.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply till 5th October 1977 to the Vijaya Bank Ltd., Mangalore in respect of the immovable property (plot of land bearing T.S. No. 832) held by it at Mangalore (South Kanara).

[No. 15(6)-B.O. III/77]

M. B. USGAONKAR, Under Secy.

नई दिल्ली 19 मार्च, 1977

क्र. आ. 1013.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (6) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, 'पुरी ग्राम्य बैंक लिमिटेड' के अध्यक्ष श्री सुरेन्द्र महान्ती के 28 मार्च, 1977 से 16 अप्रैल, 1977 तक 3 महीने की अवधि के अवकाश के दौरान, ट्रिनिटी ओवरसीज बैंक, कटक, के प्रबंधक, श्री पी. ए. सम्भू के उक्त पुरी ग्राम्य बैंक के अध्यक्ष के रूप में नियुक्त करती है।

[सं० एफ० 4-87/75-ए.सी.]

सी. आर. बिस्वास, उप सचिव

New Delhi, the 19th March, 1977

S.O. 1013.—In exercise of the powers conferred by sub-section (6) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri P. A. Sambhu, Manager, Indian Overseas Bank, Cuttack to act as the Chairman of the Puri Gramya Bank, Pipli during the period of absence on leave of Shri Surendra Mahantya, Chairman of the said Puri Gramya Bank for a period of 3 weeks commencing on the 28th March, 1977 and ending with the 16th April, 1977.

[No. F. 4-87/75-AC]

C. R. BISWAS, Dy Secy.

केन्द्रीय उत्पादन शुल्क तथा सीमाशुल्क बोर्ड

नई दिल्ली, 2 अप्रैल, 1977

सीमा-शुल्क

क्र. आ. 1014.—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, भारत सरकार के वित्त मंत्रालय की अधिसूचना सं० 95 सीमा-शुल्क तारीख 7 जून, 1969 के साथ पठित सीमा-शुल्क अधिनियम 1962 (1962 का 52) की धारा 152 के खण्ड (घ) के अनुसरण में, राणाघाट सीकिल और वृणगर सीमा-शुल्क के अधीन पेंनापोल सीकिल के सीमा-शुल्क अधीक्षक और कलकत्ता सीमाशुल्क डि विजन पश्चिमी बंगाल, कलकत्ता के अधीन बलकलता मूल्य निर्धारण एकक के अधीक्षक के उक्त अधिनियम की धारा 143 के अधीन मान की निक्की के लिए बंधपत्रों के स्वीकार करने और उन्हें रद्द करने की शक्ति सहायक सीमा-शुल्क कलक्टर की शक्तियों का प्रयोग करने के लिए सशक्त करता है।

[सं० गी. 35/का सं० 506/2/76-अ.सी.शु.]

एन. कृष्णमूर्ति, अवर सचिव

(Central Board of Excise & Customs)

New Delhi, the 2nd April, 1977

CUSTOMS

S.O. 1014.—In pursuance of clause (d) of section 152 of the Customs Act, 1962 (52 of 1962), read with the notification of the Government of India, in the Ministry of Finance (Department of Revenue & Insurance) No. 95-Customs dated 7th June, 1969, the Central Board of Excise and Customs hereby empowers the Superintendents of Customs Ranaghat Circle and Penapole Circle under Krishnanagar Customs Division, and the Superintendent Customs, Calcutta Appraisement Unit under Calcutta Customs Division, West Bengal, Calcutta, to exercise the powers of Assistant Collector of Customs in respect of acceptance and cancellation of bonds for clearance of goods under section 143 of the said Act.

[No. 35 Customs/F. No. 566/2, 76-LC. II]

N KRISHNAMURTHY, Under Secy.

केन्द्रीय उत्पादन शुल्क, समाहर्ता कार्यालय, नई दिल्ली

नई दिल्ली, 14 फरवरी, 1977

(केन्द्रीय उत्पादन शुल्क)

का० प्रा० 1015—केन्द्रीय उत्पादन शुल्क, नियमावली, 1944 के नियम 5 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, मैं एतद्वारा दिल्ली केन्द्रीय उत्पादन शुल्क समाहर्ता कार्यालय के अधीक्षकों को यह प्राधिकार देता हूँ कि वे अपने अपने अधिकार क्षेत्र में, केन्द्रीय उत्पादन शुल्क नियमावली 1944 के नियम 185 के उपनियम (1) तथा नियम 173 (ण) के उपनियम (2) के अन्तर्गत समाहर्ता की शक्तियों का प्रयोग करें।

[अधिसूचना सं० 1-सीई/77/सी० सं० IV(15) 58 सीई/72]

(Central Excise Collector, New Delhi)

New Delhi, the 14th February, 1977

CENTRAL EXCISES

S.O. 1015.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I hereby authorise the Superintendents of Central Excise of Delhi Central Excise Collectorate, to exercise within their respective jurisdictions, the powers of the Collector under sub-rule (2) of rule 1730 and sub-rule (1) of rule 185 of the Central Excise Rules, 1944

[Notification No. 1-CF/77/C No. IV(16) 58 CE/72]

नई दिल्ली, 24 फरवरी, 1977

का० प्रा० 1016—भारत के राजपत्र अध्याधारण भाग II, खण्ड 3, उपखण्ड (1) दिनांक 21-12-1976 में प्रकाशित अधिसूचना सं० 291/76-सीई के जारी किए जाने के परिणाम स्वरूप, एतद्वारा मैं इस समाहर्ता कार्यालय की अधिसूचना सं० 5/61 दिनांक 22-8-1961 को विरुद्धित करता हूँ। मैं, इस समाहर्ता कार्यालय की अधिसूचना सं० 1/61 दिनांक 12-6-1961 की सारणी में दिए गये नियम 145 के प्रथम परन्तुक के (क) के संबंध में सहायक समाहर्ता द्वारा प्रयोग की जाने वाली समाहर्ता की शक्ति भी वापिस लेता हूँ।

2 प्रांगे, केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 5 के अन्तर्गत मैं, मैं एतद्वारा सहायक समाहर्ता को यह शक्ति देता हूँ कि, वह नियम 145 के पहले के प्रथम परन्तुक के बाद, नये तौर से रखे गए परन्तुक के उपपरा (क) के अन्तर्गत, "जिसकी के सिवाए हुए

तम्बाकू" के मामले में, समाहर्ता को शक्तियों, अर्थात् जिसकी के सिवाए हुए तम्बाकू के मामले में, भाण्डारण अवधि को, दो वर्ष की सामान्य अवधि के अतिरिक्त अधिक से अधिक एक वर्ष की अवधि के लिए बढ़ाने की शक्तियों का प्रयोग करे।

अधिसूचना सं० 2-सीई/77/सी० सं० IV(8) 3 सीई/60]

म० ला० बधवार, समाहर्ता

New Delhi, the 24th February, 1977

S.O. 1016. Consequent upon the issue of Notification No. 291/76-CE published in Part II, Section 3, Sub-section (1) of the Gazette of India Extraordinary dated 21-12-1976, I hereby rescind this Collectorate's Notification No. 5/61 dated 22-8-1961. I also withdraw the powers of the Collector being exercised by the Assistant Collector relating to (a) of first proviso to Rule 145 as given in the table of this Collectorate's Notification No. 1/61 dated 12-6-1961.

2. Further, in pursuance of Rule 5 of the Central Excise Rules, 1944, I hereby empower the Assistant Collector to exercise the powers of the Collector in case of 'flue cured tobacco' under sub-para (a) of the newly inserted proviso to Rule 145 after the erstwhile first proviso i.e. in the case of flue cured tobacco. Powers for extension of warehousing period for a maximum period of one year, in addition to the normal period of two years.

[Notification No. 2-CF/77/C No. IV(8) 3-CE/60]

M. L. BADWHAR, Collector

वाणिज्य मंत्रालय

आवेश

नई दिल्ली, 2 अप्रैल, 1977

का० प्रा० 1017—केन्द्रीय सरकार को यह राय है कि नियम (स्वानिती नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के नियति व्यापार के विकास के लिए भारत सरकार के वाणिज्य मंत्रालय की अवरक संबंधी अधिसूचना सं० का० प्रा० 2660 तारीख 30 जुलाई, 1964 में नीचे विनिर्दिष्ट ढंग में संशोधन करना आवश्यक तथा समीचीन है।

और केन्द्रीय सरकार ने उसके लिए प्रस्तावों को नियति (स्वानिती नियंत्रण और निरीक्षण) नियम, 1964 के नियम 31 के उप-नियम (2) द्वारा यथा-अपेक्षित के अनुसार नियति निरीक्षण परिषद् का भेज दिया है।

अतः अब उक्त उप-नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उन सभी लोगों की जानकारी के लिए प्रकाशित करती है जिनके उसमें प्रभावित होने की संभावना है।

2 यह सूचना दी जाती है कि यदि कोई व्यक्ति उक्त प्रस्तावों के बारे में कोई आक्षेप तथा सुझाव देना चाहे तो वह उसे इस आवेग के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर भारतीय निर्यात निरीक्षण परिषद् 14/1-बी, एजरा स्ट्रीट (सातवीं मंजिल) कलकत्ता-700001 को भेज सकता है।

प्रस्ताव

भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० का० प्रा० 2660 तारीख 30 जुलाई, 1964 में पैरा (1) का उप-परा (1) के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा अर्थात्—

“(1) अधिसूचित करने के सभी प्रकार के अवकाश जिसमें कट अवकाश संघारित शिफ्टी कट अवकाश ब्लॉक, माइकेनाइट तथा अवकाश

के दुकड़े तथा पाउडर सम्मिलित है, निर्यात, से पूर्व निरीक्षण के अधीन होंगे तथा अवरक के निर्यात (निरीक्षण) नियम, 1964 के अनुसार निरीक्षित किए जाएंगे; तथा”।

[सं० 6(27)/76-नि०नि० तथा नि०उ०]

MINISTRY OF COMMERCE

New Delhi, the 2nd April, 1977

ORDER

S.O. 1017.—Whereas the Central Government is of opinion that, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) it is necessary and expedient to amend the notification of the Government of India in the Ministry of Commerce No. S.O. 2660, dated the 30th July, 1964 relating to Mica, in the manner specified below for the development of the export trade of India;

And whereas the Central Government has forwarded the proposals in that behalf to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same, within forty five days from the date of publication of this order in the official gazette to the Export Inspection Council of India, 14/1B, Ezra Street, (7th floor), Calcutta-700001.

PROPOSALS

In the notification of the Government of India in the Ministry of Commerce No. S.O. 2660, dated the 30th July, 1964, for sub-paragraph (i) of paragraph (1) the following shall be substituted, namely :—

“(i) Notifies that all forms of Mica including Cut-Mica Condenser Films, Cut Mica Blocks, Micanite, and Mica Flakes and Powder shall be subject to inspection prior to export and shall be inspected in accordance with the Export of Mica (Inspection) Rules, 1964; and”.

[No. 6(27)/76 E.I.&F.P.]

आदेश

क्रा० आ० 1018.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है कि कृत्रिम संश्लिष्ट अपमार्जक निर्यात से पूर्व निरीक्षण के अधीन किया जाए;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा यथा-अपेक्षित के अनुसार निर्यात निरीक्षण परिषद् को भेज दिया है:

अतः अब उक्त उप-नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को प्रभावित होने उन सभी लोगों की जानकारी के लिए प्रकाशित करती है जिनके हमारे प्रभावित होने की सम्भावना है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आपेक्ष या सुझाव देने की बांछा करने वाला कोई व्यक्ति उसे इस आदेश के सरकारी राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर निर्यात निरीक्षण परिषद्, 'ब्लैक ट्रेड सेंटर', 14/1-बी, एजरा स्ट्रीट, (सातवीं मंजिल) कलकत्ता-1 भेज सकेगा।

प्रस्ताव

(1) अधिसूचित करना कि संश्लिष्ट अपमार्जक निर्यात से पूर्व निरीक्षण के अधीन होगा;

(2) (क) इस आदेश के उपाबंध-I में दिए गए संश्लिष्ट अपमार्जक के लिए विनिर्देशों को संश्लिष्ट अपमार्जक के लिए मानक विनिर्देशों के रूप में मान्यता देना या

(ख) उन विनिर्देशों को मान्यता देना जो कि जेता तथा निर्यात-कर्ता के मध्य तय हुए करार के अनुसार निर्यात सविदा में कृत्रिम प्रक्षालक के लिए दिए जा सकते हैं वगैरें कि ऐसे विनिर्देश उक्त उपाबंध-I में दिए गए विनिर्देशों से निम्न न हों जाए।

(3) इस आदेश के उपाबंध-II में दिए गए संश्लिष्ट अपमार्जक के निर्यात (निरीक्षण नियम, 1977 के प्रारूप के अनुसार निरीक्षण के प्रकार को निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो कि ऐसे संश्लिष्ट अपमार्जक पर लागू होंगे:

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे संश्लिष्ट अपमार्जक के निर्यात का तब तक प्रतिबंध करना जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1963 (1963 का 22) की धारा 7 के अधीन केन्द्रीय सरकार द्वारा स्थापित अभिकरण द्वारा दिया गया इस आशय का प्रमाणपत्र न हो कि संश्लिष्ट अपमार्जक मानक विनिर्देशों के अनुरूप है।

3. इस आदेश की कोई भी बात भाषी श्रेताओं को संश्लिष्ट अपमार्जक (1 कि० ग्रा० से अधिक) के नमूनों के भू मार्ग, समुद्र या वायु मार्ग द्वारा निर्यात पर लागू नहीं होगी।

4. इस आदेश में, 'संश्लिष्ट अपमार्जक' से घरेलू प्रयोग तथा औद्योगिक प्रयोजनों के लिए प्रयुक्त अल्कली एरिल प्रकार का श्लेष्मायुक्त घसावुनीय प्रक्षालक अभिप्रेत है। कार्यशील प्रक्षालक अल्कली एरिल सल्फोनिक अम्ल का सोडियम नमक होगा। उत्पादित वस्तुओं के प्रयोग को ध्यान में रखते हुए उनके निरूपण में तैयार करने वाले तत्वों में से एक या अधिक रखे जा सकते हैं। सामग्री मुक्त प्रवाही चूरे के रूप में होगी तथा कोई अभिग्रहण नहीं देगी और अच्छे क्षाण बनाएगी।

उपाबंध-I

[पैरा 2 का उप-पैरा (2) देखिए]

सारणी : 1 घरेलू प्रयोग के लिए संश्लिष्ट अपमार्जक के लिए अपेक्षाएँ—

क्रम सं०	विशेषताएँ	अपेक्षा
1	2	3
1.	भारत तथा बाणशील पदार्थ के घस 105° से० पर, भार के आधार पर प्रतिशत, अधिकतम	15
2.	कार्यशील बंध, भार के आधार पर प्रतिशत, न्यूनतम	18
3.	अल्कोहल में घुलनशील पदार्थ, भार के आधार पर प्रतिशत, अधिकतम	70
4.	फास्फेट (सोडियम ट्राइकोसी फास्फेट के रूप में प्रस्तुत) अल्कोहल में घुलनशील पदार्थ के भार के आधार पर प्रतिशत न्यूनतम	40
5.	1 प्रतिशत घोल (डब्ल्यू/बी) का हाईड्रोजन आयोन सांद्रित चूर्ण (पी एच), 30° से० पर	9-11
6.	अप्रक्षालक कार्बनिक पदार्थ भार के आधार पर प्रतिशत अधिकतम	1-0

1	2	3
7 पानी में अघुलनशील पदार्थ, भार के आधार पर प्रतिशत अधिकतम		0 = 5
शर्तिका: 2—उद्योगिक प्रयोजनों के लिए, सश्लिष्ट अपमार्जक के लिए अपेक्षाएं		
क्रम सं०	विशेषताएं	अपेक्षाएं
		प्रकार (1) प्रकार (2) प्रकार (3)
1. 105° से० पर धारिता तथा वाष्पील पदार्थ के अंश भार के आधार पर प्रतिशत, अधिकतम		8 — —
2. कार्यशील अंश भार के आधार पर प्रतिशत, न्यूनतम	40	30 20
3. अल्कोहल में अघुलनशील पदार्थ भार के आधार पर प्रतिशत अधिकतम	50	10 5
4. स्पष्ट बिन्दू से० अधिकतम	—	— 10
5. 1 प्रतिशत घोल (इथेनॉल/डी) का हाइड्रोजन आयोड सांद्रित चूर्ण (पी० एच), 30 से० पर 7 से 9 7 से 9 6 से 8		
6. अप्रक्षालक कार्बनिक पदार्थ भार के आधार पर प्रतिशत अधिकतम	1.0	0.75 0.5
7. पानी में अघुलनशील पदार्थ भार के आधार पर प्रतिशत, अधिकतम	0.5	0.5 शून्य

उपाखंड-II

[विन 2 का उप-नियम (3) देखिए]

नियति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अधीन बनाए जाने के लिए प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम तथा प्रारूप—(1) इन नियमों का नाम सश्लिष्ट अपमार्जक का निर्यात (निरीक्षण नियम, 1977) है।

2. परिभाषा—इन नियमों में जब तक कि संदर्भ से, अन्यथा अपेक्षित न हो;

(क) 'अधिनियम' से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,

(ख) 'अभिकरण' से अधिनियम की धारा 7 के अधीन शोबीन, मद्रास, कलकत्ता, मुम्बई, तथा दिल्ली में स्थापित अभिकरणों से कोई एक अभिप्रेत है।

(ग) 'सश्लिष्ट अपमार्जक' से घरेलू प्रयोग तथा औद्योगिक कार्यों के लिए प्रयुक्त अस्फुली एनिल प्रकार का रासायनिक अत्युत्पीय अपमार्जक अभिप्रेत है। कार्यशील अपमार्जक अस्फुली एनिल सिक्कोनिक अक्षल या मोडियम नामक त्वा। उल्लिखित वस्तुओं के प्रयोग को ध्यान में रखते हुए उनके स्वरूप में रासायनिक तैयार करने वाले अर्थों में से एक का अधिनियम रखे जा सकत है मामूली मुक्त चूर्ण के रूप में होगा तथा कोई अणिय गंध नहीं होगी और अच्छे छाप बनाएगी।

3. निरीक्षण का आधार—निर्यात किए जाने वाले सश्लिष्ट अपमार्जक का निरीक्षण इस दृष्टि से किया जाएगा कि सश्लिष्ट अपमार्जक निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्य प्राप्त निर्देशों के अनुरूप है।

4. निरीक्षण की प्रक्रिया—(1) सश्लिष्ट अपमार्जक के निर्यात करने का दृष्टि निर्यातकर्ता अपने ऐसा करने के आग्रह की सूचना लिखित रूप से संबंधित अभिकरण को देगा और ऐसी सूचना के साथ निर्यात संविदा या आवेदन की एक प्रति अभिकरण के पास ही के कार्यालय को देगा जिससे कि यह नियम 3 के अनुसार निरीक्षण कर सके।

(2) उप-नियम (1) के अधीन प्रत्येक सूचना पात लदान की प्रत्यापित तारीख से कम से कम गान दिन के पहले दी जाएगी।

(3) उप-नियम (2) के अधीन सूचना प्राप्त होने पर अभिकरण नियम 3 तथा केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निर्देशों के अनुसार निरीक्षण करेगा।

(4) यदि निरीक्षण के पश्चात् अभिकरण अपना यह समाधान कर लिया है कि निर्यात किया जाने वाला सश्लिष्ट अपमार्जक का परीक्षण, नियम 3 की अपेक्षाओं के अनुरूप है तो वह उप-नियम (2) के अधीन सूचना प्राप्त होने के साथ दिनों के भीतर निर्यातकर्ता को यह घोषणा करेगा कि प्रमाण-पत्र दे देगा कि परीक्षण निर्यात-योग्य है।

परन्तु जहां निरीक्षण का इस प्रकार का समाधान नहीं हो वहां वह उक्त सात दिनों के अवधि के भीतर ऐसा प्रमाण-पत्र देने में इंकार कर देगा और ऐसे इंकार की सूचना कारणों सहित निर्यातकर्ता को देगा।

5. निरीक्षण का स्थान—इन नियमों के अधीन प्रत्येक निरीक्षण या तो (क) ऐसे उत्पाद के विनिर्माण के परिमर के या (ख) उस परिमर में किया जाएगा जहां निर्यातकर्ता द्वारा माल प्रस्तुत किया गया है बशर्ते कि इन प्रयोजनों के लिए पर्याप्त सुविधाएं वहां विद्यमान हों।

6. निरीक्षण शुल्क—प्रत्येक परीक्षण के लिए पोत पर्यन्त निःशुल्क मूल्य के प्रति एक सौ रुपये के लिए पचास पैसे की दर से फॉर्म में दी जाएगी। यह फीस कम से कम पचास रुपये होगी।

7. अपील—नियम 4 के उप-नियम (4) के अधीन प्रमाण-पत्र देने के इंकार से व्यक्ति कोई व्यक्ति उसके द्वारा ऐसे इंकार की सूचना प्राप्त होने के दस दिनों के भीतर हम प्रयोजनों के लिए केन्द्रीय सरकार द्वारा नियुक्त न्यूनतम तीन और अधिकतम सात व्यक्तियों के विशेषज्ञों के पैनल को अपील कर सकता है।

(2) विशेषज्ञों के पैनल की कुल सदस्यता का कम से कम दो-तिहाई गैर-सरकारी सदस्यों का होगा।

(3) पैनल की गणपूर्ति तीन की होगी।

(4) अपील उसके प्राप्त होने के 15 दिनों के भीतर विशेषज्ञों के पैनल द्वारा निाटा दी जाएगी।

[सं० 6(28)/76-नि०/नि० तथा श० सं०]

ORDER

SO 1918.—Whereas, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the export trade of India that Synthetic Detergents should be subject to inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objection or suggestions with respect to the said proposals may forward the same within forty five days of

the date of publication of this order in the Official Gazette to the Export Inspection Council, "World Trade Centre", 14/1B, Ezra Street, (7th Floor), Calcutta-1.

PROPOSALS

(1) To notify that Synthetic Detergents shall be subject to inspection prior to export;

(2) To recognise—

(a) the specification for Synthetic Detergents as set out in Annexure-I to this order as the standard specifications for Synthetic Detergents, or

(b) the specifications which may be stipulated for Synthetic Detergents in the export contract as agreed between the buyer and the exporter provided that such specifications do not fall below the specifications set out in the said Annexure-I.

(3) To specify the type of inspection in accordance with the draft Export of Synthetic Detergents (Inspection) Rules, 1977 set out in Annexure-II to this order as the type of inspection which would be applied to such Synthetic Detergents;

(4) To prohibit the export, in the course of international trade of such Synthetic Detergents unless the same is accompanied by a certificate issued by an agency established by the Central Govt. under section 7 of the Export (Quality Control & Inspection) Act, 1963 (22 of 1963) to the effect that the Synthetic Detergents conform to the aforesaid standard specifications.

3. Nothing in this order shall apply to the export by land, sea or air of samples of Synthetic Detergents (Not exceeding 1 kg.) to the prospective buyers.

4. In this order "Synthetic Detergents" shall mean 'Anionic Non-soapy detergents of the alkyl aryl type' used for household use and industrial purposes. The active ingredient shall be the sodium salt of alkyl aryl sulphonc acid. The formulation may contain one or more of the builders of additives keeping in view of the end use of the product. The material shall be a free flowing powder, shall not give any unpleasant odour and shall give good lather.

ANNEXURE-I

[See sub-paragraph (2) of Paragraph 2]

Table : 1—Requirements for Synthetic Detergents for household use

Sl. No.	Characteristic	Requirement
1.	Moisture and volatile matter content at 105°C, percent by weight, Max	15
2.	Active ingredient, percent by weight Min.	18
3.	Matter insoluble in alcohol, percent by weight, Max	70
4.	Phosphates (expressed as sodium tripolyphosphate), percent by weight of matter insoluble in alcohol, Min	40
5.	Hydrogen ion concentration (PH) of 1 percent solution (w/v), at 30°C	9-11
6.	Non-detergent organic matter, percent by weight, Max	1-0
7.	Matter insoluble in water, percent by weight, Max	0.5

Table 2 : Requirements for Synthetic Detergent for industrial purposes

Sl. No.	Characteristic	Requirements		
		Type(1)	Type (2)	Type(3)
1.	Moisture and volatile matter content at 105°C, percent by weight, Max	8
2.	Active ingredient, 40 percent by weight, Min	40	30	20
3.	Matter insoluble in alcohol, percent by weight, Max	50	10	5
4.	Clear point °C, Max	10
5.	Hydrogen ion concentration, PH of 1 percent solution (w/v) at 30°C	7 to 9	7 to 9	6 to 8
6.	Non-detergent organic matter, percent by weight, Max	1.0	0.75	0.5
7.	Matter insoluble in water, percent by weight, Max	0.5	0.5	Nil

ANNEXURE-II

[See sub-paragraph (3) of paragraph 2]

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

1. Short title and commencement.—(1) These rules may be called the Export of Synthetic Detergent (Inspection) Rules, 1977.

2. Definition.—In these rules, unless the context otherwise requires,

(a) "Act" means the Export (Quality Control & Inspection) Act, 1963 (22 of 1963);

(b) "agency" means any one of the agencies established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) "Synthetic Detergent" means Anionic non-soapy detergents of the alkyl aryl type, used for Household use and Industrial purposes. The active ingredient shall be the sodium salt of alkyl aryl sulphonc acid. The formulation may contain one or more of the builders of additives keeping in view of the end use of the product. The material shall be a free flowing powder, shall not give any unpleasant odour and shall give good lather.

3. Basis of Inspection.—Inspection of Synthetic Detergents for export shall be carried out with a view to seeing that the Synthetic Detergents conform to the specifications recognised by the Central Govt. under Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

4. Procedure of Inspection.—(1) The exporter intending to export Synthetic Detergents shall give intimation in writing of his intention so to do to the concerned agency and submit alongwith such intimation a copy of the Export Contract or order to the nearest office of the Agency to enable it to carry out inspection in accordance with rule, 3.

(2) Every intimation under sub-rule (1) shall be given not less than 7 days before the expected date of shipment.

(3) On receipt of the intimation under sub-rule (2) the agency shall carry out the inspection in accordance with rule 3 and the Instructions issued by the Council from time to time.

(4) If after the inspection, the agency is satisfied that the consignment of Synthetic Detergent meant for export complies with the requirements of rule 3, it shall, within seven days of the receipt of the intimation under sub-rule (2) issue a certificate to the exporter declaring the consignment as exportworthy.

Provided that where the agency is not so satisfied it shall, within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of Inspection.—Every inspection under these rules shall be carried out either (a) at the premises of the manufacturer of such product; or (b) at the premises at which the goods are offered by the exporter provided adequate facilities for the purpose exist therein.

6. Inspection Fee.—Subject to minimum of Rs. 50 for each consignment, a fee at the rate of fifty paise for every one hundred rupees of the F.O.B. value for each such consignment shall be paid as inspection fee.

7. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of communication of such refusal by him prefer an appeal to such panel of experts consisting of not less than three but not more than seven persons as may be constituted by the Central Government for the purpose.

(2) The panel of experts shall consist of at least two-third of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel of experts shall be three.

(4) The appeal shall be disposed of by the panel of experts within fifteen days of its receipt.

[No. 6(28)/76-EI & FP]

आदेश

क्र० आ० 1019—निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार को यह राय है कि भारत के निर्यात व्यापार के विकास के लिए यह आवश्यक तथा समीचीन है कि प्रसाधन के लिए साबुन निर्यात से पूर्व क्यालिटी नियंत्रण और निरीक्षण के अधीन किया जाए:

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं और उन्हें निर्यात (क्यालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) द्वारा यथा-अपेक्षित के अनुसार निर्यात निरीक्षण परिपद को भेज दिया है।

और उक्त उप-नियम के अनुसरण से केन्द्रीय सरकार उन सभी लोगों की जिनके उनसे प्रभावित होने की सम्भावना है जानकारी के लिए उक्त प्रस्तावों को प्रकाशित करती है।

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आक्षेप तथा सुझाव देने की आशा करने वाला व्यक्ति उसे इस आदेश के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर निर्यात निरीक्षण परिपद, 'ब्लैंड ट्रेड सेक्टर', 14/1-बी, एडवा रट्टीट, (मानवी मजिस्ट), कलकत्ता-1 को भेज सकेगा।

प्रस्ताव

(1) अधिसूचित करना कि प्रसाधन के लिए साबुन निर्यात से पूर्व निरीक्षण के अधीन हो।

(2) (क) इस आदेश के उपाबंध-I में प्रसाधन के साबुन के लिए दिए गए विनिर्देशों को प्रसाधन के साबुन के लिए मानक विनिर्देशों के रूप में मान्यता देना.

(ख) क्रेता तथा निर्यात-कर्ता को मध्य तय हुए के अनुसार निर्यात सविदा में दिए गए प्रसाधन के साबुन के लिए विनिर्देशों को मान्यता देना परन्तु यह तब जब ऐसे विनिर्देश उक्त उपाबंध-I में दिए गए विनिर्देशों में निम्न न हों।

(3) इस आदेश के उपाबंध-II में दिए गए प्रसाधन के साबुन के निर्यात (निरीक्षण) नियम, 1976 के प्राप्ति के अनुसार निरीक्षण के प्रकार को निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो कि ऐसे प्रसाधन के साबुन पर लागू होगा।

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे प्रसाधन के लिए साबुन का तब तक प्रतिरोध करना जब तक कि उसके साथ निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अन्तर्गत केन्द्रीय सरकार द्वारा स्थापित अधिकरण द्वारा दिया गया इस आदेश का प्रमाण-पत्र न हो कि प्रसाधन के लिए साबुन उक्त मानक विनिर्देशों के अनुसरण है।

3. इस आदेश की कोई भी बात भावी क्रेताओं को प्रसाधन के लिए साबुन (1 कि० ग्रा०) से अधिक) के नमूनों के भू०, समुद्र या वायु मार्ग द्वारा निर्यात पर लागू नहीं होगी।

4. इस आदेश में 'प्रसाधन के लिए साबुन' से पूरी तरह साबुनीकृत, मशीन से तैयार किया हुआ या सफेद या रंगीन बानों प्रकार का समान आकार का जो सुगन्धित तथा पक्की चिकनी टिक्की के रूप में तैयार किया गया हो प्रसाधन के लिए साबुन अभिप्रेत है जिसमें अच्छी सफाई तथा झाग देने वाली विशेषताएं होंगी। सुगन्ध तथा आर्द्रता के अतिरिक्त प्रसाधन के लिए साबुन में रंगीन पदार्थ, संरक्षक, औषधियाँ, अतिवसाय पदार्थ तथा ऐसे अतिरिक्त पदार्थ हो सकते हैं जो कि लेबल पर घोषित किए गए हों। साबुन के साथ प्रयोग करने से प्रयुक्त सभी सामग्री हानिरहित होगी।

उपाबंध—I

[पैरा 2 का उप-पैरा (2) देखिए]

क्रम सं०	विशेषताएं	अपेक्षाएं
1.	कुल वसा पदार्थ, साबुन के आधार पर न्यूनतम	76.0
2.	रोजिन अम्ल, कुल वसा पदार्थ की प्रतिशत साबुन अधिकतम	3.0
3.	असाबुनीकृत वसा पदार्थ, साबुन के आधार पर अधिकतम	0.5
4.	सोडियम हाईड्रोक्साइड (एन ए ओ एच) की तरह मुक्त साबुन के आधार पर प्रतिशत, अधिकतम	0.05
5.	अस्करोहल में घुलनशील पदार्थ, साबुन के आधार पर प्रतिशत अधिकतम	2.5

उपाबंध—II

[पैरा 2 का उप-पैरा (3) देखिए]

निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अन्तर्गत बनाए जाने के लिए प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम तथा प्रारम्भ—(1) इन नियमों का नाम प्रसाधन के लिए साबुन का निर्यात (निरीक्षण) नियम, 1976 है।

2 परिभाषा—इन नियमों में जब तक कि संदर्भ में, अन्यथा प्रोविजन नहीं—

- (क) 'अभिनियम' ने निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) अभिप्रेत है।
- (ख) 'अभिकरण' से अधिनियम की धारा 7 के अन्तर्गत कोलीन, सटार, कनकना, मुम्बई तथा दिल्ली में स्थापित अभिकरणों में से कोई एक अभिप्रेत है।
- (ग) 'प्रसाधन के लिए साबुन' से पूरी तरह गाबुनीकरण, गणीत से तैयार किया हुआ या सफेद या रंगीन दोनों प्रकार का सामान आकार का सुगंधित तथा पक्की बिकनी टिबकी के रूप में दिखाया हुआ प्रसाधन के लिए साबुन अभिप्रेत है जिसमें अच्छी सफाई तथा झाग देने वाली विशेषताएँ होंगी। सुगंध तथा आर्द्रता के अनिर्दिष्ट प्रसाधन के लिए साबुन में रंगीन पदार्थ, संरक्षक, अनिश्चयाभय पदार्थ तथा ऐसे अनिर्दिष्ट पदार्थ हो सकते हैं जो कि लेबल पर उचित किए गए हैं। साबुन के साथ प्रयोग करने में प्रयुक्त सभी सामग्री हानि रहित होगी।

3 निरीक्षण का आधार—निर्यात किया जाने वाला प्रसाधन के लिए साबुन का निरीक्षण यह देखने के लिए किया जाएगा कि प्रसाधन के लिए साबुन अधिनियम की धारा 6 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्य विनिर्देशों के अनुरूप है।

4 निरीक्षण की प्रक्रिया—(1) प्रसाधन के लिए साबुन का निर्यात करने का इच्छुक निर्यातकर्ता अपने ऐसा करने के प्रसाधन की सूचना लिखित रूप में सम्बंधित अभिकरण को देगा और ऐसी सूचना के साथ निर्यात सविदा या आदेश की एक प्रति अभिकरण के निकटतम कार्यालय का देगा ताकि वह नियम 3 के अनुसार निरीक्षण कर सके।

(2) उप-नियम (1) के अन्तर्गत प्रत्येक सूचना पोस्ट-मार्क की मानित तारीख से कम-से-कम सात दिन पहले दी जाएगी।

(3) उप-नियम (2) के अन्तर्गत प्रत्येक सूचना प्राप्त होने पर अभिकरण नियम 3 तथा परिच्छेद द्वारा समय-समय पर जारी किए गए निर्देशों के अनुसार निरीक्षण करेगा।

(4) निरीक्षण के पश्चात् यदि अभिकरण का यह समाधान हो जाता है कि निर्यात के लिए बनाया गया प्रसाधन के लिए साबुन का परेषण नियम 3 की अपेक्षाओं के अनुरूप है तो वह उप-नियम (2) के अन्तर्गत सूचना प्राप्त होने के सात दिनों के भीतर यह घोषणा करने हुए, निर्यातकर्ता को प्रमाण-पत्र दे देगा कि परेषण निर्यात योग्य है:

परन्तु जहाँ अभिकरण का इस प्रकार समाधान नहीं होता वहाँ वह वह उक्त सात दिनों की अवधि के भीतर ऐसा प्रमाण-पत्र देने में इन्कार कर देगा तथा ऐसे इन्कार की सूचना कारणों सहित निर्यातकर्ता को देगा।

5 निरीक्षण का स्थान—इन नियमों के अन्तर्गत प्रत्येक निरीक्षण या तो (क) ऐसे उत्पाद के विनिर्माता के परिसर पर या (ख) उस परिसर पर किया जाएगा जहाँ निर्यातकर्ता द्वारा माल प्रस्तुत किया गया है परन्तु यह तब तब बरा उस प्रयोजन के लिए पर्याप्त सुविधाएँ विद्यमान हों।

निरीक्षण फीस—प्रत्येक परेषण के लिए पोस्ट पर्यन्त निम्नलिखित मूल्य के प्रत्येक पक्ष से अलग पर चालीस पैसे की दर से निरीक्षण फीस ली जाएगी जो कम-से-कम पचास रुपये होगी।

7 अपील—(1) नियम 4 के उप-नियम (1) के अन्तर्गत अभिकरण द्वारा प्रमाण-पत्र देने के इन्कार से व्यक्ति कोई व्यक्ति उसके द्वारा ऐसे इन्कार की सूचना प्राप्त होने के दस दिनों के भीतर इस प्रयोजन

के लिए केन्द्रीय सरकार द्वारा नियुक्त, कम-से-कम तीन और अधिक-से-अधिक सात व्यक्तियों के विशेषज्ञों के पैनल को अपील कर सकेगा।

(1) ऐसे पैनल में पैनल-विशेषज्ञों की कुल संख्या का कम-से-कम दो-तिहाई गैर-सरकारी सदस्यों का होगा।

(2) पैनल की गणपूर्ति तीन की होगी।

(4) अपील प्राप्त होने के पन्द्रह दिनों के भीतर निपटा दी जाएगी।

[सं 6(29)/76-नि० ति० तथा नि० ७०]

के० बी० बालसुब्रह्मण्यम्, उप-निदेशक

ORDER

S.O. 1019—Whereas, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963, (22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the Export Trade of India, that toilet soaps should be subject to inspection prior to export:

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964:

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty five days of the date of publication of this order in the Official Gazette to the Export Inspection Council, "World Trade Centre", 14/IB, Ezra Street, (7th floor), Calcutta-1.

Proposals

(1) To notify that toilet soaps shall be subject to inspection prior to export;

(2) (a) To recognise the specifications for toilet soap as set out in Annexure-I to this order as the standard specification for toilet soaps, (b) The specifications stipulated for toilet soaps in the Export Contract as agreed between the buyer and the exporter provided that such specification do not fall below the specification set out in the said Annexure-I.

(3) To specify the type of inspection in accordance with the draft Export of Toilet Soaps (Inspection) Rules, 1976 set out in Annexure-II to this order as the type of inspection which would be applied to such toilet soaps

(4) To prohibit the export, in the course of international trade of such toilet soaps, unless the same is accompanied by a certificate issued by an agency established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that the toilet soaps conform to the aforesaid standard specifications.

3 Nothing in this order shall apply to the export by land, sea or air of samples of toilet soaps (not exceeding 1 Kg.) to the prospective buyers.

4. In this order "Toilet Soaps" shall mean the toilet soaps, thoroughly saponified milled soap or homogenized soap both white or coloured, perfumed and compressed in the form of firm smooth cakes and shall possess good clearing and lathering properties. In addition to perfume and moisture, toilet soaps may contain only colouring matter preservatives, medicaments, superfatting agents and such additional substances as are declared on the Label. All the materials used shall be non-injurious in use with soap.

Annexure—I

[see sub-paragraphs (2) of Paragraph 2]

Sl. No.	Characteristic	Requirements
1.	Total fatty matter, per cent by mass Min	76.0
2.	Rasin acids, per cent mass of total fatty matter, Max	3.0
3.	Unsaponified fatty matter, per cent by mass, Max	0.5
4.	Free Causticalkali, as sodium hydroxide (NaOH) per cent by mass, Max	0.05
5.	Matter insoluble in alcohol, per cent by Mass, Max	2.5

Annexure—II

[See sub-paragraph (3) of paragraph 2]

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963)

1. Short title and commencement—(1) These rules may be called the Export of Toilet Soaps (Inspection) Rules, 1976.

2. Definition.—In these rules, unless the context otherwise requires,

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "agency" means any one of the agencies established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) "Toilet Soaps" means the toilet soaps thoroughly saponified, milled soap or homogenized soap or both white or coloured, perfume and compressed in the form of firm smooth cakes and shall possess good cleaning and lathering properties. In addition to perfume and moisture, toilet soaps may contain only colouring matter, preservatives, medicaments superfatting agents and such additional substances as are declared on the label. All the materials used shall be non-injurious in use with soap.

3. Basis of Inspection.—Inspection of toilet soaps for export shall be carried out with a view to seeing that the toilet soaps conform to the specifications recognised by the Central Government under section 6 of the Act.

4. Procedure of Inspection—(1) The exporter intending to export toilet soaps shall give intimation in writing of his intention so to do to the concerned agency and submit along with such intimation a copy of the Export Contract or order to the nearest office of the agency to enable it to carry out inspection in accordance with rule 3.

(2) Every intimation under sub-rule (1) shall be given not less than 7 days before the expected date of shipment.

(3) On receipt of the intimation under sub-rule (2) the Agency shall carry out the inspection in accordance with rule-3 and instructions issued by the Council from time to time.

(4) If after the inspection, the agency is satisfied that the consignment of toilet soaps meant for export complies with the requirements of rule-3, it shall, within seven days of the receipt of the intimation under sub-rule (2) issue a certificate to the exporter declaring the consignment as exportworthy:

158 GU76-2

Provided that where the agency is not so satisfied it shall, within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of Inspection.—Every inspection under these rules shall be carried out either (a) at the premises of the manufacturer of such product or (b) at the premises at which the goods are offered by the exporter provided adequate facilities for the purpose exist therein.

6. Inspection Fee.—Subject to a minimum of Rs. 50 for each consignment a fee at the rate of forty paise for every one hundred rupees of the F.O.B. value for each such consignment shall be paid as inspection fee.

7. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (4) of rule 4, may within ten days of the receipt of communication of such refusal by him, prefer an appeal to such panel of experts consisting of not less than three but not more than seven persons as may be constituted by the Central Government for the purpose.

(2) The panel of experts shall consist of at least two-third of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel of experts shall be three.

(4) The appeal shall be disposed of by the panel of experts within fifteen days of its receipt.

[No. 6(29)/76-FI & FP]

K. V. BALASUBRAMANIAM, Dy. Director

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

प्रादेश

नई दिल्ली, 15 मार्च, 1977

क्र० आ० 1020.—यथासंशोधित आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9 द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए अधोहस्ताक्षरी दि० हैजीनियरिंग प्रोजेक्ट्स इण्डिया लि० एच०ई०सी० धूर्वा राष्ठी को 28,800 रुपए के लिए जारी किए गए आयात लाइसेंस संख्या जी/सी/1416551/सी/एक्स/58/एच/41-42/सीजी-2/एलएम, दिनांक 17-2-1976 को मुद्रा विनियम नियंत्रण प्रति को एनबू द्वारा रद्द करने हैं। लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति केवल 549.68 रुपए मात्र के लिए ही उपयोग में लाई गई थी।

लाइसेंस रद्द करने का कारण यह है कि लाइसेंस की मुद्रा विनियम नियंत्रण प्रति लाइसेंसधारी से खो गई/अस्थानस्थ हो गई है और उन्होंने उस के बदले में उपयोग न की गई गेष धनराशि 28,250.32 रुपए मात्र के लिए अनुविधि प्रति जारी करने के लिए आवेदन किया था।

[संख्या सी०जी०-2/एच०आई०(75)/75-76/2254]

एन० प्रार० शर्मा, उप-मुख्य-नियंत्रक
रुने मुख्य-नियंत्रक

Office of the Chief Controller of Imports and Exports

ORDER

New Delhi, the 15th March, 1977

S.O. 1020.—In exercise of the powers conferred by clause-9 of the Imports (Control) order, 1955 dated 7-12-1955 as amended, the undersigned hereby cancels the exchange control purposes copy of the licence No. G/C/1416551/C/XX/58/H/41-42/CGII/L.S. dated 17-2-1976 for Rs. 28,800/-

issued to the Engineering Projects (India) Ltd., HFC Dhurba Ranchi. The original Exchange Control purposes copy of the licence was utilised for Rs. 5,49.68 only.

The reasons for the cancellation is that the exchange control purposes copy of the licence has been lost/misplaced by the licensee who had requested for the issue of duplicate licence in lieu thereof for the unutilised balance of Rs. 28,250.32 only.

[No. CGH/H I. (75)/75-76/2254]

N. R. SHARMA, Dy. Chief Controller,
for Chief Controller.

संयुक्त मुख्य निर्यातक आयात-निर्यात का कार्यालय

आवेश

कलकत्ता, 6 जनवरी, 1977

का० आ० 1021.—सर्वश्री बड़ियान ब्रह्मन् पेंट्स प्रोडक्शन कोऑपरेटिव इन्डस्ट्रियल सोसायटी लि० भिवानी (हरियाणा) के नाम से प्राधिकार पत्र के साथ राज्य व्यापार निगम लि० चन्द्रलोक 36-जनपथ, नई दिल्ली को जुलाई—सितम्बर, 1975 अवधि के लिए निम्नलिखित अनुसार एक आयात लाइसेंस प्रदान किया गया था:—

लाइसेंस संख्या तथा दिनांक	विवरण	मूल्य
पी/एम/2983794/सी/एक्स 58/सी/41-42/के-12 के-1.3 तथा के-1.4	(i) डी० एम० टी० डी०-मिथाईल ट्रेफ्थालेट (ii) क्रैसिलिक एसिड (iii) प्रोपलीन ग्लाइकोल और (iv) प्राधिकार पत्र की शर्तों के अनुसार 10,717 रुपए तक मिट्रिक एसिड (नकलीकी ग्रेड)।	1,07,175 रुपए (एक लाख सात हजार एक सौ पचाहत्तर रुपए मात्र)।

प्राधिकार पत्र धारक अर्थात् नामांकित फर्म सर्वश्री बड़ियान ब्रह्मन् पेंट्स प्रोडक्शन कोऑपरेटिव इन्डस्ट्रियल सोसायटी लि० भिवानी (हरियाणा) ने उपर्युक्त आयात लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुमिति के लिए पूर्ण मूल्य 1,07,175 रुपए के लिए आवेदन किया है जबकि इन्होंने हम बात की पुष्टि की है कि उक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति सीमा शुल्क कार्यालय, कलकत्ता में पंजीकृत करने के पश्चात् खो गई है और उपयोग में नहीं लाई गई है। कुल धनराशि जिसके लिए मूल प्रति जारी की गई थी 1,07,175 रुपए है और मूल प्रति पूर्ण रूप से उपयोग में नहीं लाई गई थी। अथ जुलाई—सितम्बर, 1975 अवधि के लाइसेंस के मद्दे माय की निकासी के लिए सीमा शुल्क प्रयोजन प्रति की अनुमिति प्रति की आवश्यकता है।

इस तर्क के समर्थन में आवेदक ने महानगरीय मैजिस्ट्रेट कलकत्ता, के समक्ष विधिबद्ध साध्यांकित स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है।

मे संतुष्ट हूँ कि आयात लाइसेंस न० पी०/एम०/2783794/सी०/एक्स० एक्स०/58/सी०/41-42/के 1, 2, के 1.3 तथा के 1.4, दिनांक 22-3-76 की सीमा शुल्क प्रयोजन प्रति खो गई/अस्थायित्व हो गई है तथा निदेश देता हूँ कि आवेदक को आयात लाइसेंस के पूर्ण मूल्य 1,07,175 रुपए के लिए सीमा शुल्क प्रयोजन प्रति की अनुमिति जारी की जानी चाहिए। उपर्युक्त आयात लाइसेंस की सीमा शुल्क प्रयोजन प्रति जो कि 1,07,175 रुपए की धनराशि के लिए है, एतद्वारा रद्द की जाती है।

[स० आ० ई० एक्स० पी०/इन्स० कारपेट-

29/74355-L/एल०/23/जे०-एस० 75/5/1635]

एस० के० मण्डल, उप-मुख्य नियंत्रक

Office of the Jt. Chief Controller of Imports & Exports

ORDER

Calcutta, the 6th January, 1977

S.O. 1021.—The State Trading Corporation of India Ltd., Chandralok, 36, Janpath, New Delhi was issued an import licence for the period July,—September, 1975 as under with a letter of authority in favour of M/s. Badyan Brahman Paints Production Co-operative Industrial Society Ltd., Bhiwani (Haryana).

Licence NO. and Date.	Description.	Value
P/M/2783794/C/XX/58 ¹ C 1 4 41-42/K-1, 2, K 1. 3&K1.4	(i) D.M.T., Di-Methyle 1. Trepthallate B. (ii) Cresylic Acid (iii) Propylene Gly- col and (iv) citric Acid (Tec- Grade) upto Rs. 10, 717/- as per condition on letter of authority.	Rs. 1, 07, 175 (Rupees one Lakh seven thousand one hundred and seventyfive only).

The nominee firm vis-a-vis letter of authority holder M/s. Badyan Brahman Paints Production Co-operative Industrial Society Ltd., Bhiwani (Haryana) applied for duplicate Customs Purpose copy of the above import licence for the full value of Rs. 1,07,175 since they have confirmed that the Customs purposes copy of the above licence has been lost having been registered with Customs House, Calcutta and unutilised. The total amount for which the original copy was issued is Rs. 1,07,175 and the original copy was unutilised in full. The duplicate Customs Purposes copy now required for clearance of goods against July,—September, 1975 period's licence.

In support of this contention the applicant has filed an affidavit on a stamped paper duly attested by Metropolitan Magistrate, Calcutta.

I am satisfied that the Customs purposes copy of import licence No. P/M/2783794/C/XX/58/C/41-42/K-1, 2, K. 13 & K. 1.4 dated 22-3-76 has been lost/misplaced and direct that the duplicate Customs purposes copy of the import licence for the full value of Rs. 1,07,175 should be issued to the applicant. The Customs Purposes copy of the above import licence is for the amount of Rs. 1,07,175 which is hereby cancelled.

[No. Rexp/W. Carpet-29/74355-L/23/J-S75/V/1635]

S. K. MANDAL, Dy. Chief Controller

नागरिक पूति तथा सहकारिता मंत्रालय

भारतीय मानक संस्था

नई दिल्ली, 1977-03-15

क्र० आ० 1022 :—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-3334 जिसके व्योरे नीचे अनुसूची में दिए गए हैं, फर्म के अपने अनुरोध पर 1976-09-01 से रद्द कर दिया गया है।

अनुसूची

क्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्सम्बन्धी भारतीय मानक
1.	सीएम/एल-3334 1973-02-22	सर्वश्री भारदा प्लाईवुड इंडस्ट्रीज प्रा० लि० जैपुर रोड, जैपुर (असम) इनका कार्यालय 9 पार्सी चर्च स्ट्रीट कलकत्ता-1 में है।	लकड़ी के समतल कपाट (ठोस मध्य भाग वाले) ऊपर प्लाईवुड लगे मार्का 'ड्युरोप्लाई'	IS: 2202 (भाग I)—1973 लकड़ी के समतल कपाट (ठोस मध्य भाग वाले) की विनिर्दिष्ट भाग I ऊपर प्लाईवुड लगे (दूसरा पुनरीक्षण)।

[सीएमसी/55.3334]

MINISTRY OF CIVIL SUPPLIES & CO-OPERATION

INDIAN STANDARDS INSTITUTION

New Delhi, 1977-03-15

S. O. 1022—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L 3334 particulars of which are given below has been cancelled with effect from 1976-09-01 at the request of the firm.

Sl. No.	Licence No. and Date	Name & Address of the Licensee	Article/Process Governed by the Licensees Cancelled	Relevant Indian Standard
(1)	(2)	(3)	(4)	(5)
	CM/L-3334 1973-02-22	M/s Sarda Plywood Industries (P) Ltd, Jeypore Road, Jaypore (Assam) having their office at 9, Parsee Church Street Calcutta-1.	Wooden flush door shutters (solid core type), with plywood face Panels Brand : 'DUROPLY'	IS : 2202 (Part I)— 1973 Specification for wooden flush door shutters (solid core type)— Part I Plywood face panels (Second Revision)

[CMD/55 : 3334]

क्र० आ० 1023 :—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-3963 जिसके व्योरे नीचे अनुसूची में दिए गए हैं, फर्म द्वारा अपना नाम बदल लेने के कारण 1976-11-16 से रद्द कर दिया गया है।

अनुसूची

क्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्सम्बन्धी भारतीय मानक
	सीएम/एल-3963 1974-09-24	सर्वश्री असम बेनियर एण्ड सा मिल्स डाकघर सीडो, जिला डिब्रुगढ़, असम इनका कार्यालय 67/21 स्ट्रीट रोड, कलकत्ता-6 में है।	चाय की पेटियों के लिए प्लाईवुड के तख्ते मार्का 'एसीएमएम'	IS : 10-1970 चाय की पेटियों के लिए प्लाईवुड की विनिर्दिष्ट (तीसरा पुनरीक्षण)।

[सीएमसी/55 : 3963]

ए०बी० राव, उपमहानिदेशक

S. O. 1023—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution here by notifies that Licence No. CM/L-3963 particulars of which are given below has been cancelled with effect from 1976-11-16 due to change in the name of the firm.

Sl. Licence No. and Date	Name & Address of the Licensee	Article/Process Governed by the Licensees Cancelled	Relevant Indian Standard
(1)	(2)	(3)	(4)
CM/L-3963 1974-09-24	M/s Assam Veneer & Saw Mills P.O. Ledo, Distt. Dibrugarh (Assam) having their office at 67/21, Strand Road Calcutta-6	Tea-chest Plywood Panels Brand : 'AVSM'	IS : 10-1970 Specification for Plywood Tea-chests (Third Revision)

[CMD/55 : 3963]

A. B. RAO, Dy. Dir. Gen.l

नई दिल्ली, 17 मार्च, 1977

New Delhi, the 18th March, 1977

का. आ. 1024—केन्द्रीय सरकार, भारतीय मानक संस्था (प्रमाणन चिन्ह) नियम, 1955 के नियम 13 के साथ पठित भारतीय मानक संस्था (प्रमाणन चिन्ह) अधिनियम, 1952 (1952 का 36) की धारा 10 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारतीय मानक संस्था से परामर्श करके, यह निवेदन देती है कि उक्त अधिनियम की धारा 3 के खण्ड (छ) के अधीन उक्त संस्था द्वारा प्रयोग की जाने वाली किन्हीं शक्तियों का प्रयोग, बोकारो स्टील लिमिटेड. बोकारो द्वारा विनिर्मित इस्पात की बाबत, उप महानिदेशक (निरीक्षण), पूर्ति और व्ययन महानिदेशालय, पूर्ति और पुनर्वासि मंत्रालय द्वारा भी किया जायेगा।

[का. सं. 1(9)/भा.मा.सं./76]

बि. एन. जयसिंह, संयुक्त सचिव।

New Delhi, the 17th March, 1977

S.O. 1024—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Standards Institution (Certification marks) Act, 1952 (36 of 1952), read with rule 13 of the Indian Standards Institution (Certification Marks) Rules 1955, the Central Government, in consultation with the Indian Standards Institution, hereby directs that any powers exercisable by the said Institution under clause (e) of section 3 of the said Act, shall be exercisable also by the Deputy Director-General (Inspection), Directorate General of Supplies and Disposals, Ministry of Supply and Rehabilitation, in respect of steel manufactured by the Bokaro Steel Limited Bokaro.

[File No. 1(9)ISI/76]

B. N. JAYASIMHA, Jt. Secy.

नई दिल्ली, 18 मार्च, 1977

का. आ. 1025—अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 3 की उप धारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा नागरिक पूर्ति और सहकारिता मंत्रालय में भारत सरकार के संयुक्त सचिव, श्री टी. बालकृष्णन को 18 मार्च, 1977 के दोपहर के पहले से आगे और आदेश होने तक के लिए उनके वर्तमान कार्यभार के साथ-साथ बायदा तजार आयोग, बम्बई का सवस्य नियुक्त करती है तथा उक्त आयोग का अध्यक्ष भी नामित करती है।

[मिसिल संख्या ए-12011/66/76-स्थापना]

बी. एल. गर्ग, अवर सचिव

S.O. 1025—In exercise of the powers conferred by Sub-Section (2) of Section 3 of Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby appoints Shri T. Balakrishnan, Joint Secretary to the Government of India in the Ministry of Civil Supplies and Cooperation as a Member of the Forward Markets Commission, Bombay, and also nominates him to be chairman of that Commission with effect from the forenoon of 18th March, 1977 in addition to his present duties till further orders.

[File No. A-12011/60/76-Estt.]

B. L. GARG, Under Secy.

(पूर्ति विभाग)

आदेश

नई दिल्ली, 15 मार्च, 1977

का० आ० 1026—चूंकि केन्द्रीय सरकार ने मैसर्स भारत इंडस्ट्रियल्स, घोषुमपाड़ी, कोबीन को दो फिशिंग बोटों (मछली मारने की नौकाओं) की सप्लाई करने के लिए बि० 30 सितम्बर, 1970 को ठेका नं० एस० बी०-3/218/73/435-1082/पी० ए० एम० एस०/145 दिया था;

और चूंकि कथित भारत इंडस्ट्रियल्स ने उन नौकाओं का आंशिक रूप से निर्माण किया है और उसके बाद कथित नौकाओं के निर्माण का काम बन्द कर दिया;

और चूंकि केन्द्रीय सरकार ने कथित भारत इंडस्ट्रियल्स के जोखिम और लागत पर ठेके को 21 फरवरी, 1976 को रद्द कर दिया है;

और चूंकि आंशिक रूप से निर्मित नौकाएं और उनका निर्माण करने के लिए अधिप्राप्त मशीनरी तथा सामग्री कथित भारत इंडस्ट्रियल्स के आहूत में पड़ी हुई है;

और चूंकि कथित नौकाओं की सप्लाई राष्ट्र के जीवन के लिए आवश्यक है;

इसलिए, अब, भारत के रक्षा तथा आन्तरिक सुरक्षा नियम, 1971 के नियम 114 के उप-नियम (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है :—

(क) कि कथित भारत इंडस्ट्रियल्स केन्द्रीय सरकार को भ्रष्टाचार उक्त सरकार द्वारा प्राधिकृत व्यक्ति (इसके आगे इस आदेश में इसे प्राधिकृत व्यक्ति के रूप में निर्दिष्ट किया गया है) को आंशिक रूप से निर्मित नौकाओं तथा ऐसी नौकाओं के निर्माण के लिए अधिप्राप्त मशीनरी और सामग्री की सूची तैयार करने के लिए कथित भारत इंडस्ट्रियल्स के आहूत का निरीक्षण करने की अनुमति देगी।

(ख) कथित भारत इंडस्ट्रीयल्स, मांगे जाने पर केन्द्रीय सरकार अथवा प्राधिकृत व्यक्ति को खण्ड(क) के अनुरोध तैयार की गई सूची में उल्लिखित सामान सौंप देगी।

(ग) जहां केन्द्रीय सरकार अथवा प्राधिकृत व्यक्ति की यह राय है कि सूची में उल्लिखित सामान को, उसकी वर्तमान अवस्था में परिवर्तन किये बिना, कथित भारत इंडस्ट्रीयल्स के अहाने से नहीं हटाया जा सकता, वहां भारत इंडस्ट्रीयल्स इस आदेश की तारीख से एक वर्ष की अवधि के लिए, अथवा केन्द्रीय सरकार द्वारा विनिर्दिष्ट आगामी ऐसी अवधि में, जो तीन वर्ष से अधिक न हो, कथित सरकार अथवा प्राधिकृत व्यक्ति को, जो भी हो, कथित अहाने में कथित नौकाओं का निर्माण पूरा करने की अनुमति प्रदान करेगी और सभी सुविधाएं देगी।

[संख्या एम० बी० -3/218/73/435-1082/
पी०ए०ओ०एम०/145]
आर० तिरुमलै, सचिव

DEPARTMENT OF SUPPLY ORDER

New Delhi, the 15th March, 1977

S.O. 1026.—Whereas the Central Government entered into a contract No. SV-3/218/73/435-1082/PAOM/145 dated the 30th September, 1970 with Messrs Bharat Industrials, Thoppumpady, Cochin-5 for the supply of two fishing Boats;

And whereas the said Bharat Industrials has partially built the boats and thereafter stopped the construction of the said boats;

And whereas the Central Government has cancelled on the 21st February, 1976 the contract at the risk and cost of the said Bharat Industrials;

And whereas the said partially built boats and the machinery and materials procured for their construction are lying in the premises of the said Bharat Industrials;

And whereas the supply of the said boats is essential to the life of the community;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of the rule 114 of the Defence and Internal Security of India Rules, 1971, the Central Government hereby directs that—

- (a) the said Bharat Industrials shall allow the Central Government or the person authorised by that Government (hereafter in this order referred to as the authorised person) to inspect the premises of the said Bharat Industrials for preparing an inventory list of the partially built boats and the machinery and materials which are procured for the construction of the said boats;
- (b) the said Bharat Industrials shall on demand hand over to the Central Government or to the authorised person the properties mentioned in the inventory list prepared under clause (a);
- (c) Where the Central Government or the authorised person is of opinion that the properties in the inventory list cannot be removed from the premises of the said Bharat Industrials without making changes in its present conditions, the said Bharat Industrials shall, for a period of one year from the date of this order, or within such further period not exceeding three years as may be specified by the Central Government, allow and give all facilities to that Government or the authorised person, as the case may be, for completing the construction of the said boats in the said premises.

[No. SV-3/218/73/435-1082/PAOM/145]

R. TIRUMALAI, Secy.

स्वास्थ्य व परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 14 मार्च, 1977

का० आ० 1027.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 2 फरवरी, 1963 की अधिसूचना सं० 16-21/62-एम आई द्वारा केन्द्रीय सरकार ने निर्देश दिया है कि भारतीय चिकित्सा परिषद् अधिनियम 1956 (1956 का 102) के प्रयोजनों के लिये मिलानो विश्वविद्यालय, इटली द्वारा दी गई 'एम० डी० (मिलानो)' मान्य चिकित्सा अर्हता होगी।

और यतः डा० ग्रुग्नी एण्टोनियो जिनके पास उपर्युक्त अर्हता है प्रशिक्षण तथा अनुसंधान कार्य के प्रयोजन के लिये इस समय गांधी अस्पताल, मिकन्दराबाद, आंध्र प्रदेश के साथ सम्बद्ध है।

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (1) के परन्तुक के भाग (ग) के अनुसरण में केन्द्रीय सरकार इसके द्वारा:—

- (1) 15 अगस्त, 1976 से आगे और एक वर्ष की अवधि के लिये, अथवा
- (2) वह अवधि जब तक डा० ग्रुग्नी एण्टोनियो गांधी अस्पताल, मिकन्दराबाद, आंध्र प्रदेश के साथ सम्बद्ध रहते हैं जो भी कम हो, वह अवधि विनिर्दिष्ट करनी है जिसमें उक्त डाक्टर प्रैक्टिस कर सकेंगे।

[सं० बी०-11016/6/77-एम०पी०टी०]

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

ORDER

New Delhi, the 14th March, 1977

S.O. 1027.—Whereas by the notification of the Government of India in the late Ministry of Health No. 16-21/62-MI, dated the 2nd February, 1963, the Central Government has directed that the Medical qualifications, "M.D. (Milano), Italy" granted by the Milano University (Italy) shall be a recognised medical qualifications for the purposes of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas Dr. Grugni Antonio, who possesses the said qualification is for the time-being attached to the Gandhi Hospital, Secunderabad, Andhra Pradesh for the purposes of Training and Research;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- (i) a further period of one year from the 15th August, 1976, or
- (ii) the period during which Dr. Grugni Antonio is attached to the said Gandhi Hospital, Secunderabad—Andhra Pradesh whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/6/77-MPT]

का० आ० 1028.—यश श्री० के० रामामूर्ति राव, प्रधान नर्स, कर्मचारी राज्य बीमा निगम अस्पताल, गांधी ग्राम, विशाखापत्तनम-5 (आंध्र प्रदेश) को भारतीय नर्सिंग परिषद् अधिनियम, 1917 (1917 का 48) की धारा 3 की उप-धारा (1) के खण्ड (क) के अन्तर्गत आन्ध्र प्रदेश नर्स तथा धात्री परिषद् ने 15 जून, 1976 में भारतीय नर्सिंग परिषद् का सदस्य निर्वाचित कर लिया है—

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार भूतपूर्व स्वास्थ्य मंत्रालय की 1-12-1958 की अधिसूचना संख्या एफ० 27-57/एम० II बी० में और निम्नलिखित संशोधन करती है, अर्थात्—

उक्त अधिनियम में “धारा 3 की उप-धारा (1) के खण्ड (क) के अन्तर्गत निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 11 और उसमें संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रमसंख्या तथा प्रविष्टि रखी जाएगी— अर्थात्

“11. श्री के० रामामूर्ति राव, प्रधान नर्स

कर्मचारी राज्य बीमा अस्पताल,

गांधी ग्राम, विशाखापत्तनम्-5

(आंध्र प्रदेश)”

[स० 14013/1/76-एम०पी०टी०]

S.O. 1028.—Whereas Shri K. Rama Murthy Rao, Head Nurse, Employees State Insurance Hospital, Gandhigram, Visakhapatnam-5 (Andhra Pradesh), has been elected by the Andhra Pradesh Nurses and Midwives Council, to be a member of the Indian Nursing Council, under clause (a) of sub-section (1) of section 3 of the Indian Nursing Council Act, 1947 (48 of 1947), with effect from the 15th June, 1976 ;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. F. 27-57/M.II(B), dated the 1st December, 1958, namely :—

In the said notification, under the heading “Elected under clause (a) of sub-section (1) of section 3”, for Serial No. 11 and the entry relating thereto, the following serial number and entry shall be substituted, namely :—

“11. Sri K. Rama Murthy Rao,
Head Nurse,
Employees State Insurance Hospital,
Gandhigram, Visakhapatnam-5 (A.P.)”

[No. V. 14013/1/76-MPT]

का०आ० 1029.—यश दत्त चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 6 की उप-धारा (4) के साथ पठित, धारा 3 के खण्ड (घ) के अनुसरण में, नागपुर विश्वविद्यालय ने डा०डी० एल० इगले के स्थान पर सरकारी दन्त कालेज तथा अस्पताल, नागपुर के डीन डा० जी०वी० शांकवाकर को 17 अक्तूबर, 1976 से भारतीय दन्त परिषद् का सदस्य निर्वाचित किया है ; —

अतः अब उक्त अधिनियम की धारा 3 के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 17 अक्तूबर, 1962 की अधिसूचना संख्या 3-2/62-एम० II में आगे निम्नलिखित संशोधन करती है, अर्थात्

उक्त अधिसूचना में “दन्त चिकित्सा अधिनियम की धारा 3 के खण्ड (घ) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 15 के

स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात्—

“डा० जी० वी० शांकवाकर,
डीन, सरकारी दन्त कालेज एवं अस्पताल,
नागपुर-3”

[स० बी० 12013/1/77-एम०पी०टी०]

एम० श्रीनिवासन, उप सचिव

S.O. 1029. Whereas in pursuance of clause (d) of section 3, read with sub-section (4) of section 6, of the Dentists Act, 1948 (16 of 1948), Dr. G. B. Shankwalkar, Dean, Government Dental College and Hospital, Nagpur has been elected by the Nagpur University to be a member of the Dental Council of India, with effect from the 17th October, 1976, vice Dr. D. L. Ingole ;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MII, dated the 17th October, 1962, namely :—

In the said notification, under the heading “Elected under clause (d) of section 3 of the Dentists Act”, against serial No. 15, for the entry, the following entry shall be substituted, namely :—

“Dr. G. B. Shankwalkar,
Dean, Government Dental College
and Hospital,
Nagpur-3”

[No. V. 12013/1/77-MPT]

S. SRINIVASAN, Dy. Secy.

प्रादेश

नई दिल्ली, 17 मार्च 1977

का०आ० 1030.—केन्द्रीय सरकार स्वास्थ्य योजना (कानपुर) नियमावली, 1972 के नियम 1 के उप-नियम (3) के खण्ड (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा कानपुर के निम्नलिखित इलाका को निर्धारण करती है जिनमें उक्त नियम लागू होंगे, अर्थात् :—
1 किववई नगर डिस्ट्रिक्ट

हमीपुर रोड पर स्थित गाय नौबस्ता से लेकर जूही पर वहाँ तक जहाँ हमीपुर रोड से नहर का चौगुला, इसमें किववई नगर, हमीपुर रोड से नौबस्ता (पूर्व), धारीपुरवा, किववई नगर, जूही (हमीपुर रोड से वक्षिणी इलाका), अनुपम थियेटर, स्वदेशी काटन मिल और ट्रामपोर्ट नगर शामिल हैं।

उपर्युक्त (नहर) चौराहे से झकरकाटी के निकटवर्ती नये पुल के जी०टी० रोड के चौराहे तक नहर द्वारा विभाजित इलाका, इसमें धकना पूर्वा तक का इलाका शामिल है।

उपर्युक्त चौराहे (नहर और जी०टी० रोड के) से काकोरी गांव के निकट पी०ए०पी० रोड तक का जी०टी० रोड से विभाजित इलाका, इसमें बाबू पूर्वा, बगाडी, मुजावज, सी०आ०डी० कम्पाउण्ड और वहाँ पर स्थित अन्य कानोनियां शामिल हैं।

पी०ए०पी० रोड और जी०टी० रोड के चौराहे से पी०ए०पी० रोड द्वारा विभाजित इलाका से सी०आ०डी० के पूर्वी और वक्षिणी किनारे पर स्थित 400 फुट की प्रस्तावित रोड तक का इलाका (यह इलाका अभी अधि-कसित है)।

सी०ओ०डी० कम्पाउण्ड के पूर्वी किनारे से धारोपुरवा टर्मिनस के निकट हमीरपुर रोड तक का 400 फुट की प्रस्तावित सड़क द्वारा विभाजित इलाका, इसमें बाब पुरवा, किदवाई नगर, यहा पर स्थित रिजर्व बैंक कालोनी का मोहम्मदा तक का क्षेत्र शामिल है।

2 कपडा मोहाल डिस्पेंसरी

घंटाघर (हल्सी रोड और नहर के चौराहे) से लेकर हल्सी रोड से मुनगंज चौक (खुदे रोड और हल्सी रोड का चौराहा) का इलाका, इसमें जतरण गंज, नया गंज कमला टावर काहू कोठी, सिर्की मोहाल, लाठी मोहाल हटिया और पी०ए०सी० कालोनी का इलाका शामिल है।

मुनगंज चौराहे से मेस्टर्न रोड द्वारा विभाजित कोतवाली के निकट एम०जी०रोड के चौराहे तक का इलाका, इसमें टोपी बाजार, लोक हटिया राम नारायण बाजार और कोतवाली का इलाका शामिल है।

उपर्युक्त चौराहे (कोतवाली) से फूल बाग तक एम०जी० रोड द्वारा विभाजित इलाका और फूल बाग से हरवंस मोहाल के निकट नहर के चौराहे तक का इलाका, इसमें बिरहाना रोड, तराची खाना, नया गंज, पटकापुर शक्कर पट्टी, तिलयाना, मुनार खाना, मुसा टाली, फेथ-फूल गज खपड़ा मोहाल, मुरे कम्पनी शामिल है।

उपर्युक्त (नहर और एम०जी० रोड के चौराहे से एच०एस० फैक्ट्री) तक नहर द्वारा विभाजित इलाका, इसमें गारुती कालोनी, गंगा ब्रिज और जुहारी देवी गर्ल्स कालोन का इलाका शामिल है।

उपर्युक्त समग से वह इलाका जो पूर्व से गया द्वारा और टैगोर रोड से भी विभाजित है जो नाना एच० मस्कर घाट और सती चौराहा रोड तक गंगा के साथ साथ जाता है। गती चौराहे से इलाहाबाद चकेरी रोड चौराहे तक नाथू सिंह रोड (यह फामला लगभग एक दो कि०मी० है) द्वारा विभाजित इलाका।

उपर्युक्त चौराहे से चकरी रोड द्वारा विभाजित बनिया बाजार तक चौराहे का इलाका।

उपर्युक्त चौराहे से चदेरी रेलवे स्टेशन के निकट जी०टी० रोड तक पील रोड द्वारा विभाजित इलाका, इसमें छावनी का पूरा इलाका और पैगसूट फैक्ट्री का इलाका आदि शामिल है।

उपर्युक्त समग से शक्कर काटी के निकट नहर के चौराहे तक पश्चिम से जी० टी० रोड द्वारा विभाजित इलाका, इसमें रेल बाजार, फैथफूल गज मेन्ट्रुम रेलवे स्टेशन का क्षेत्र शामिल है।

जी०टी० रोड और नहर के चौराहे से घंटाघर (मेन्ट्रुम रेलवे स्टेशन) हल्सी रोड टर्मिनस के चौराहे तक नहर द्वारा विभाजित इलाका।

[सं० एम० 11011/7/76-के०सू०से०यो०(निजी)]

वी० रामचन्द्रन, प्रवर सचिव

ORDER

New Delhi, the 17th March, 1977

S.O. 1030.—In pursuance of clause (i) of sub-rule (3) of rule 1 of the Central Government Health Scheme (Kanpur) Rules, 1972, the Central Government hereby specifies the following areas in Kanpur to which the said rules shall extend, namely :—

1. Kidwai Nagar Dispensary

Area started from Naubasta village located at Hamirpur Road upto canal crossing at Juhi by Hamirpur Road catering by Kidwai Nagar, Naubasta (East) from H.P. Road, Dharipurwa, Kidwai Nagar, Juhi (Southern side from H. P. Road) Anupam theatre, Swadeshi Cotton Mill and transport Nagar.

From above (canal) crossing, area divided by canal upto G. T. Road crossing at New bridge near Bhakarkati, covering by Dhakana purwa.

From above crossing (canal and G. T. Road), area divided by G. T. Road, upto P.A.C. Road, Nr. Kakori village, covering by Baboo Purwa, Bagahi, Sujatganj, COD compound and other colonies located there.

From P. A. C. Road & G. T. Road crossing, area divided by P. A. C. Road upto 400' proposed Road located at East and Southern corner of COD (this area is still undeveloped).

From east corner of COD compound, area divided by proposed 400' Road upto Hamirpur Road Nr. Dharipurwa terminus, covering by Baboo Purwa, Kidwai Nagar, Reserve Bank colony area located there upto Naubasta.

2 Kapra Mohal Dispensary :

Area starting from Ghantaghar (crossing of Harsi Road and canal), by Harsi Road upto Meol Ganj Chowk (crossing of Latuche Road and Harsi Road), covering by General Ganj, Naya ganj, Kamla Tower, Kahu Kothi, Sirki Mohal, Lathi Mohal, Hatiya and P & T colony area.

From Mool ganj chouraha, area divided by Western Road, upto M. G. Road crossing Near Kotwali, covering by topi Bazar, chowk Hatiya, Ram Narain Bazar and Kotwali area.

From above crossing (Kotwali) area divided by M. G. Road upto Phool Bagh and from Phool Bagh upto canal crossing Nr. Hanbans Mohal, covering by Birhana Road, Karachi Khana, Naya Ganj, Patkapur, Sakkar Patti, Tilvana, Setar Khana, Bhoosa Fola, Faithful ganj, Khapra Mohal, Murray Company.

From above crossing (canal and M. G. Road) area divided by canal upto H. S. Factory, covering by Sahani Colony, Ganga bridge and Juhari Devi girls College area.

From above junction, area divided by Ganga in East and also by Tagore Road, which is parallel to Ganga upto Nana Rao Masskar ghat and Satti Chouraha Road, From Satti Chouraha, area divided by Nathoo Singh Road (distance about 1-2 Km) upto Allnhabad Chakeri Road, crossing.

From above crossing area divided by Chakari Road upto Baniva Bazar crossing with Peel Road.

From above crossing area divided by Peel Road, upto G. T. Road Nr. Chandari Railway Station, covering by full cantonment area Parachute Factory area etc.

From above junction, area divided by G. T. Road in West upto canal crossing Nr. Ihankar Kati, covering by Rail Bazar Faithful ganj, Central Rly. Station area.

From the crossing of G. T. Road and canal area divided by canal upto Ghanta Ghar (Central Railway Station) crossing of Harsi Road, Terminus.

[No. S. 11011/7/76-CGHS(P).]

V. RAMACHANDRAN, Under Secy.

रसायन एवं उर्वरक मंत्रालय

नई दिल्ली, 9 मार्च, 1977

का०आ० 1031.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की देखरेखी) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हेतु, केन्द्रीय सरकार, नीचे की सारणी/के स्तम्भ (1) में वर्णित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पक्ष के समस्त अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधिन अधिकाधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिभोगित कर्तव्यों का पालन करेगा।

सारणी

सारणी

अधिकारी का पदाभिधान	सरकारी स्थानों के प्रबंध और अधिकारिता की स्थानीय सीमाएं
(1)	(2)
मुख्य कार्यपालक अधिकारी, भारतीय उर्वरक निगम, ट्राम्बे की ट्राम्बे यूनिट।	फर्टिलाइजर कारपोरेशन आफ इंडिया लिमिटेड के, या उसके द्वारा अथवा उसके निमित्त ट्राम्बे यूनिट और उसके उपनगर के लिए पट्टे पर लिए गये स्थान।

[सं० फा० 55/1/77-फर्टी० II]

MINISTRY OF CHEMICAL & FERTILIZERS

New Delhi, the 9th March, 1977

S.O. 1031—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Chief Executive Officer, Trombay Unit of Fertilizer Corporation of India Ltd., Trombay.	Premises belonging to, or taken on lease by or on behalf of, the Fertilizer Corporation of India Ltd., for Trombay Unit and its township.

[F. No. 55(1)/77-Ferts.II]

का०आ० 1032—सरकारी स्थान (अप्रधिकृत अधिकारियों को खेदशाली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पदवी पर समतुल्य अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की वास्तव अपनी अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा।

1	2
अधिकारी का पदाभिधान	सरकारी स्थानों के प्रबंध और अधिकारिता की स्थानीय सीमा
ज्येष्ठ प्रशासन अधिकारी, भारतीय उर्वरक निगम, दुर्गापुर की दुर्गापुर यूनिट	फर्टिलाइजर कारपोरेशन आफ इंडिया लिमिटेड के, या उसके द्वारा अथवा उसके निमित्त दुर्गापुर यूनिट और उसके उपनगर के लिए पट्टे पर लिए गए स्थान।

[सं० फा० 73/1/77-फर्टी०-II]

टी० एन० सिंघल, अवर सचिव

S. O. 1032—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Senior Administrative Officer Durgapur Unit of Fertilizer Corporation of India Ltd., Durgapur.	Premises belonging to or taken on lease by or on behalf of the Fertilizer Corporation of India Ltd., for Durgapur Unit and its township.

[F. No. 73(1)/77-Ferts. II]

T. N. SINGHAL, Under Secy.

नॉर्वहन एवं परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 18 मार्च, 1977

का. आ. 1033—दिल्ली परिवहन निगम (सदस्य) नियम, 1973 के नियम 3 और 5 के साथ पठित सड़क परिवहन निगम अधिनियम, 1950 (1950 का 64) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा दिल्ली प्रशासन, दिल्ली के परिवहन निदेशक, श्री एच. एन. फोतेदार को दिल्ली परिवहन निगम का सदस्य नियुक्त करती है और भारत सरकार के नॉर्वहन और परिवहन मंत्रालय (परिवहन पक्ष) को अधिसूचना सं. का. आ. 328 (ई), दिनांक 1 मई, 1976 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के पैरा (1) में, मधु (10) और तत्संधर्धी प्रतीष्टियों के लिए निर्मनीलिखित रखी जाए, अर्थात् :-

“(10) श्री एच. एन. फोतेदार, परिवहन निदेशक, दिल्ली प्रशासन दिल्ली।”

[सं. टी.जी.डी.(59)/76]

बी. बी. महाजन, संयुक्त सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 18th March, 1977

S.O. 1033.—In exercise of the powers conferred by sub-section (1) of section 5 of the Road Transport Corporation Act, 1950 (64 of 1950), read with rules 3 and 5 of the Delhi Transport Corporation (Members) Rules, 1973, the Central Government hereby appoints Shri H. N. Fotedar, Director of Transport, Delhi Administration, Delhi as Member of the Delhi Transport Corporation and makes the following further amendment in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S. O. 338(F), dated the 1st May, 1976, namely :—

In paragraph 1 of the said notification, for item (x) and the entry relating thereto, the following shall be substituted, namely :—

“(x) Shri H. N. Fotedar, Director of Transport Delhi Administration, Delhi”

[No TGD(59)/76]

B. B. MAHAJAN, Joint Secy.

संसार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली 19 मार्च, 1977

का.आ. 1034.—संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने तन्दीवनम टेलीफोन केंद्र में दिनांक 16-4-77 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-13/77 पी० एच० बी०]

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 19th March, 1977

S.O. 1034.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-4-1977 as the date on which the Measured Rate System will be introduced in Tindivanam Telephone Exchange, Tamil Nadu Circle.

[No. 5-13/77-PHB.]

नई दिल्ली, 24 मार्च, 1977

का. आ. 1035.— का. आ. संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के 158 GI/76—3

खण्ड 3 के पैरा (क) के अनुसार डाक-महानिदेशक ने हरदोई टेलीफोन केंद्र में दिनांक 16-4-77 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-13/77-पी.एच.पी.]

पी. सी. गुप्ता, सहायक महानिदेशक (पी. एच. बी.)

New Delhi, the 24th March, 1977

S.O. 1035.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-4-1977 as the date on which the Measured Rate System will be introduced in Haridwar Telephone Exchange, U.P. Circle.

[No. 5-11/77-PHB.]

P. C. GUPTA, Assistant Director General (PHB)

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 16 मार्च, 1977

का.आ. 1035.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के भूतपूर्व स्वास्थ्य तथा परिवार नियोजन और निर्माण, आवास तथा नगर विकास मंत्रालय (निर्माण, आवास तथा नगर विकास विभाग) के 11 जुलाई 1970 की अधिसूचना एस०ओ० 2344, का अधिकांश करते हुए जहाँ तक दिल्ली और इलाहाबाद मंडलों के मंडल अधीक्षक इंजीनियरों से सम्बद्ध मद संख्या 2 का सम्बन्ध है और भारत सरकार रेल मंत्रालय (रेलवे बोर्ड) की 2 नवम्बर 1974 की अधिसूचना एस०ओ० सं० 2875 का अधिग्रहण करते हुए, केन्द्रीय सरकार नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारी को जो सरकार का राजपत्रित अधिकारी है उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में निर्दिष्ट सार्वजनिक परिसरों के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे।

तालिका

अधिकारियों के पदनाम	सार्वजनिक परिसरों की श्रेणियाँ और अधिकार क्षेत्र की सीमाएं
1	2
उत्तर रेलवे के इलाहाबाद बीकानेर, दिल्ली, फिरोजपुर, जोधपुर, लखनऊ और मुराबाद मंडलों के वरिष्ठ इंजीनियर (इंजीनियरिंग विभाग के कनिष्ठ प्रशासकीय ग्रेड के अधिकारी)।	इलाहाबाद, बीकानेर, दिल्ली, फिरोजपुर, जोधपुर, लखनऊ और मुराबाद मंडलों के अधिकार क्षेत्रों के भीतर उत्तर रेलवे के प्रशासनिक नियंत्रण के अधीन परिसर।

[फाइल सं० 69 डब्ल्यू० 2/एस० ई०/13]

बी० मोहंती, सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 16th March, 1977

S. O. 1036.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of the notification of the Government of India in the late Ministry of Health and Family Planning and Works, Housing and Urban Development (Department of Works, Housing & Urban Development) No. S.O. 2344, dated the 11th July, 1970 insofar as it relates to item 2 pertaining to Divisional Superintending Engineers, Delhi and Allahabad Divisions and in supersession of the notification of the Government of India in the Ministry of Railways (Railway Board) No. S.O. 2875, dated the 2nd November, 1974, the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being Gazetted Officers of Government, to be Estate Officers for the purpose of the said Act and further directs that the said officers shall exercise the powers conferred, and perform the duties imposed on Estate Officers by or under the said Act, within the local limits of their jurisdiction in respect of the Public Premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the Officers	Categories of public premises & local limits of jurisdiction
1	2
Senior Divisional Engineers (Junior Administrative Grade Officers of Engineering Department) Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad Divisions of Northern Railway.	Premises under the administrative control of the Northern Railway situated within the jurisdiction of Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad Divisions of Northern Railway.
	[F. No. 69/W2/LE/13] B. MOHANTY, Secy.

भ्रम मंत्रालय

प्रादेश

नई दिल्ली, 17 फरवरी, 1977

का०आ० 1037—इससे उपाखण्ड अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री मोहन लाल जैन, पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण, फरीदाबाद के समक्ष लम्बित हैं ;

और उक्त श्री मोहन लाल जैन की सेवाएँ अब उपलब्ध नहीं हैं ;

अतः, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 33ख की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री मोहन लाल जैन, पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण, फरीदाबाद से उक्त विवादों से सम्बद्ध कार्यवाहियों को वापस लेती है और उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली को हस्तांतरित करती है और यह निदेश देती है कि उक्त केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली और आगे कार्यवाहियाँ उसी प्रक्रम से करेगा जिस पर इसे हस्तांतरित की जाएँ और विधि के अनुसार उनका निष्पादन करेगा ।

अनुसूची

क्रमांक	विवाद संख्या	प्रादेश/प्रधिसूचना संख्या और तारीख	विवाद के पक्षकार
(1)	(2)	(3)	(4)
1.	1972 का संदर्भ संख्या 1-ग	एल-29012(5)/73-एल०प्रार०-4 तारीख 14 जून, 1973 और 24 दिसम्बर, 1973	मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी की हुदीवाला क्वारी के ठेकेदार मैसर्स जीतराम शिवराम और उनके कर्मकार ।
2.	1973 का संदर्भ संख्या 4-ग	एल-29011/56/73-एल०प्रार०-4 तारीख 22-11-1973	डालमिया दादरी सीमेंट लि०, चरखी दादरी और हुदीवाला क्वारी के ककर ट्रांसपोर्ट सोर्सिङ ठेकेदार सर्वेश्वरी रामचन्द्र और सुभाषचन्द्र और उनके कर्मकार ।
3.	1974 का संदर्भ संख्या 5-ग	एल-29012(5)/73-एल०प्रार०-4, तारीख 24-12-73	मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी की हुदीवाला क्वारी के संभरक ठेकेदार मैसर्स जीतराम शिव राम
4.	1974 का संदर्भ संख्या 6-ग	एल-29011(16)/74-एल०प्रार०-4, तारीख 9 अगस्त, 1974	श्री बृजचन्द्र, ठेकेदार और मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी (हरियाणा) के प्रबन्धक और उनके कर्मकार ।
5.	1975 का संदर्भ संख्या 1-ग	एल-29012(21)/74-एल०प्रार०-4, तारीख 30 नवम्बर, 1974	डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार ।
6.	1975 का संदर्भ संख्या 2-ग	एल-29012(20)/74-एल०प्रार०-4, तारीख 30 नवम्बर, 1974	मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार ।
7.	1975 का संदर्भ संख्या 3-ग	एल-29012(19)/74-एल०प्रार०-4, तारीख 27 नवम्बर, 1974	मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार
8.	1975 का संदर्भ संख्या 4-ग	एल-29012(28)/74-एल०प्रार०-4, तारीख 16 जनवरी, 1975	मैसर्स डालमिया दादरी सीमेंट लि०, चरखी दादरी (हरियाणा) और उनके कर्मकार ।
9.	1975 का संदर्भ संख्या 5-ग	एल-29012(29)/74-एल०प्रार०-4, तारीख 12 फरवरी, 1975	डालमिया दादरी सीमेंट लि० चरखी दादरी (हरियाणा) और उनके कर्मकार ।
10.	1975 का संदर्भ संख्या 6-ग	एल-29011(99)/75 डी-3(बी) तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार ।
11.	1975 का संदर्भ संख्या 7-ग	एल-29011(108)/75-डी-3(बी), तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार ।

(1)	(2)	(3)	(4)
12.	1975 का संवर्धन संख्या 8-ग	एल-29011(101)/75 डी०-3(बी), तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार
13.	1975 का संवर्धन संख्या 9-ग	एल-29011(100)/75 डी०-3(बी), तारीख 21 अक्टूबर, 1975	डालमिया दादरी सीमेंट लि०, चरखी दादरी और उनके कर्मकार

[सं० एस-11025(2)/76-डी०-2(बी)]

MINISTRY OF LABOUR

ORDER

New Delhi, the 17th February, 1977

S.O. 1037.—Whereas the industrial disputes specified in the Schedule hereto annexed are pending before Shri Mohan Lal Jain, Presiding Officer, Central Government Industrial Tribunal, Faridabad;

And whereas the services of the said Shri Mohan Lal Jain are no longer available;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said disputes from Shri Mohan Lal Jain, Presiding Officer, Central Government Industrial Tribunal, Faridabad and transfers the same to the Central Government Industrial Tribunal, New Delhi constituted under Section 7A of the said Act and directs that the said Central Government Industrial Tribunal, New Delhi shall proceed with the same proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Dispute No.	Order/Notification No. & date	Parties to the dispute
(1)	(2)	(3)	(4)
1.	Ref.No.1-C of 1972	L-29012(5)/73-LR-IV Dt.14th June, 1973 and 24th Dec.,1973	Messrs Jit Ram Sheo Ram, Contractor, Dudiwala Quarry of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
2.	Ref.No. 4-C of 1973	L-29011(56)/73-LR-IV Dt. 22-11-73	Dalmia Dadri Cement Limited, Charkhi Dadri and Sarvashri Ram Chander and Subhash Chand, Kankar Transport Loading Contractors in Dudiwala Quarry and their workmen.

(1)	(2)	(3)	(4)
3.	Ref.No.5-C of 1974	L-29012(5)/73-LR-IV dt. 24-12-73	Messrs Jit Ram Sheo Ram Supplier Contractor in Dudiwala Quarry of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri.
4.	Ref. No. 6-C of 1974	L-29011(16)/74-LR-IV dt. 9th Aug., 1974	Shri Khub Chand, Contractor and the management of Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
5.	Ref. No. 1-C of 1975	L-29012(21)/74-LR-IV dt. 30th Nov., 1974.	Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
6.	Ref.No. 2-C of 1975	L-29012(20)/74-LR-IV Dt. 30th Nov., 1974	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
7.	Ref. No. 3-C of 1975	L-29012(19)/74-LR-IV Dt. 27th Nov., 1974	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri and their workmen.
8.	Ref.No. 4-C of 1975	L-29012(28)/74-LR-IV Dt.16th Jan., 1975	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
9.	Ref. No. 5-C of 1975	L-29012(29)/74-LR-IV Dt. 12th Feb., 1975	Messrs Dalmia Dadri Cement Limited, Charkhi Dadri (Haryana) and their workmen.
10.	Ref. No. 6-C of 1975	L-29011(99)/75-D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Ltd., Charkhi Dadri and their workman.
11.	Ref. 7-C of 1975	L-29011(106)/75-D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Ltd., Charkhi Dadri and their workman.
12.	Ref. No. 8-C of 1975	L-29011(101)/75-D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Limited, Charkhi Dadri and their workman.
13.	Ref. No. 9-C of 1975	L-29011(100)/75-D.III(B) Dated 21st Oct., 1975	Dalmia Dadri Cement Limited, Charkhi Dadri and their workman.

[No. S-11025(2)/76-D.IV(B)]

New Delhi, the 15th March, 1977

S.O. 1038.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur in the industrial dispute between the employers in relation to the management of North Jhagrakhand Colliery of Western Coalfields Ltd., P. O. Jhagrakhand Colliery District Surguja and their workmen, which was received by the Central Government.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT, JABALPUR (M. P.)

Case No. CGIT/LC(R)(7) of 1976

PARTIES :

Employers in relation to the management of North Jhagrakhand Colliery of Western Coalfields Limited, Post Office Jhagrakhand Colliery, District Surguja and their workmen represented through the Jhagrakhand Workers' Union, Post Office Jhagrakhand District, Surguja (M.P.)

APPEARANCES :

For Workman—Shri Gulab Gupta, Advocate

For Management—Shri P. S. Nair, Advocate

INDUSTRY Coal Mines DISTRICT : Surguja (M.P.)

Dated : January 12, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. I-22012/23/75-D III (B) Dated 19th May, 1975 for the adjudication of the following industrial dispute :

"Whether the action of the management of North Jhagrakhand Colliery of Western Coalfields Limited, Post Office Jhagrakhand Colliery, District Surguja (Madhya Pradesh) in transferring Shri J. P. Srivastava Clerk from North Jhagrakhand Colliery to Bijuri Colliery vide their Order Number AGM(JKD)/ACPO-145/8194-8200 dated 12-7-1975 is proper and justified ?"

2. It is not disputed that North, South and West Jhagrakhand Collieries were under a private owner and were governed by a common Standing Orders certified under the Industrial Employment (Standing Orders) Act Clause 30 of that Standing Orders ran as follows :—

"All workmen are liable to be transferred from one department to another or from one station to another or from one colliery to another under the same management provided such transfer does not cause any prejudice to their wages and other conditions of service."

Shri Jwala Prasad Srivastava had been in the employment of the erstwhile private owner and has now completed about 38 years of faithful service at North Jhagrakhand Colliery. He was never before transferred to any other colliery even within the group of the North, South and West Jhagrakhand collieries, which as said above, were governed by the common management and common Standing Orders.

3. In the year 1956 N. C. D. C. Ltd. was formed as Government Controlled Company Bijuri Colliery was managed by the N.C.D.C. Ltd. However, that Colliery was closed down in the year 1962 and was reopened on 1-1-1975. On 31-1-1973 the management of Jhagrakhand Collieries was taken over by the Government of India and since 1-5-1973 they stood nationalised. Recently N.C.D.C. Ltd. has merged into Coal India Ltd. which in this region of Madhya Pradesh is being managed by the subsidiary Company known as Western Coalfields Ltd. with its Headquarters at Nagpur. The collieries of Jhagrakhand group of collieries fall within the jurisdiction of this Western Coalfields Ltd. and comprise of the following collieries :

1. North Jhagrakhand Colliery
2. West Jhagrakhand Colliery
3. South Jhagrakhand Colliery
4. Rajnagar Colliery.
5. Ramnagar Colliery.
6. Bijuri Colliery
7. B. Seam Colliery.

Thus under the present management the Jhagrakhand group of collieries are being administered by the Area General Manager of Jhagrakhand area of Western Coalfields Ltd. The terms and conditions of service as they existed in the Jhagrakhand collieries with the private owners, continued to govern the employees of those collieries. When Bijuri colliery was started the employees there were governed by separate terms and conditions of service

4. Shri Jwala Prasad Srivastava, by a letter No. AGM(JKD)/ACPO-145/8194-8200 Dated 12th July, 1975 issued by the Superintendent of Mines Jhagrakhand area, was ordered to be transferred from North Jhagrakhand Colliery to Bijuri Colliery. He was relieved from the duties at North Jhagrakhand Colliery on 18-3-1975 by letter No. MJ/3/257 Dated 14th July, 1975. However, he did not join his assignment at Bijuri Colliery and made a representation to the management. The management did not yield to the request of Shri Jwala Prasad Srivastava and hence he, as the President of the Jhagrakhand Workers Union, referred the matter to the Assistant Labour Commissioner who submitted a failure report to the Government resulting in this reference. Shri Jwala Prasad Srivastava was previously in I.N.T.U.C. but due to some differences he came out of that Union and started his own in the name of Jhagrakhand Workers Union. He is the President of that Union and admittedly there are only a few members of that Union in the North Jhagrakhand Colliery. However, that Union is active and fighting for the claims of the members. It has been duly registered

5. The case of the Union is that according to the service conditions with the private sector employers, which service conditions continued to govern the workmen under Sec 14 of the Coal Mines Nationalisation Act when the Colliery was taken over and nationalised, his transfer could be possible only within the three collieries viz. North, South and West Jhagrakhand collieries and to no other unit. It disturbs the senior most position of Shri Jwala Prasad Srivastava in North Jhagrakhand Colliery and adversely affects the chances of his promotion. The quarter offered to Shri Srivastava at Bijuri Colliery has no water and electricity amenities and is not suitable for his status as against the quarter which he is occupying at North Jhagrakhand Colliery. This transfer order is therefore violative of the service conditions and is therefore illegal. The transfer is actuated with malice and amounts to unfair labour practice and victimization because the management is not pleased with the trade union activities of Shri Srivastava and wants to stall them by such a transfer. It is a colourable exercise of powers in as much as it intends to penalise Shri Srivastava for his legitimate trade union activities.

6. The management has alleged that in spite of its attempts to participate in the proceedings before the Assistant Labour Commissioner he proceeded ex parte and submitted a failure report which was unjustified and against the spirit of the provisions of the Industrial Disputes Act. As there was no genuine attempt for a settlement it affected the validity of the reference. The Government did not apply its mind and acted mechanically because it referred a dispute between North Jhagrakhand Coalfields and their workmen when in fact there is no such Coalfields in existence. There was no industrial dispute in existence because a dispute of transfer of an employee was not envisaged within the definition of Sec 2(k) of the Industrial Disputes Act. The reference needs no answer because the dispute as referred has no existence. The Union is alleged to be a paper union having no membership substantial or sufficient number of workers are not interested in the matter and thus the individual dispute of Shri Jwala Prasad Srivastava has not assumed the shape of industrial dispute. The validity of this reference has been challenged on this count as well. The management has tried to justify the transfer on grounds of the policy dictates of the Hon'ble Minister, administrative convenience and considerations of running the newly opened Bijuri Colliery in a proper way by experienced persons without resorting to fresh recruitment. It has also been alleged that the transfer was in pursuance of the policy to provide for surplus available labour at the newly opened mines. The allegation of victimization, violation of the Standing Orders and malicious nature of the transfer with a view to restrict genuine trade union activities have been denied. All facilities for the transfer were given to the employee. It is said that 300 employees were transferred and none except Shri J. P. Srivastava has raised an objection to it.

7. Management's attack on the validity of reference is five pronged. Firstly it is alleged that genuine and proper attempt to conciliate after following proper procedure giving due notice to conciliate after following proper procedure giving due notice reference according to the scheme of the Industrial Disputes Act. The contention has no force. The observations of the Supreme Court in *Niemla Textile Mills Ltd. Vs. State of Punjab* (4 SCLJ 2212(2220-21)) are a complete answer to it. The Supreme Court said at page 2220 that :

"It follows from this survey of the relevant provisions of the Act that the different authorities constituted under the Act are set up with different ends in view and are invested with powers and duties necessary for the achievement of the purposes for which they are set up. The appropriate Govt. is invested with a discretion to choose one or the other of the authorities for the purpose of investigation and settlement of industrial disputes and whether it sets up one authority or the other for the achievement of the desired ends depends upon its appraisal of the situation as it obtains in particular industry or establishment....."

Again on page 2221 it observed that :

"If on the other hand the matter brooks no delay the appropriate Government may possibly refer the dispute to a Board of Conciliation before referring it for adjudication or to an industrial Tribunal or may straightway refer it for adjudication by the Industrial Tribunal."

8. The underlined part of the observation at page 2221 clearly lays down that conciliation proceedings are not the *sine-qua-non* for the validity of the reference made for industrial adjudication to a Tribunal. If such conciliation proceedings are not the essential prerequisites then the conciliation officer's alleged failure to strictly follow the formal procedure reflects no adverse stigma on the reference based on such failure report. This Tribunal will not go into the details of that procedure for coming to the conclusion that reference was valid. Moreover there is only a bare allegation of the management that the Asstt. Labour Commissioner promised to accommodate the ailing officer who was posted with facts, and yet proceeded ex-parte giving no further time. It has no legs to stand. The Union has alleged that the management took no care to participate and behaved rather contemptuously. The discretion to grant or not an adjournment and consequent discretion to proceed ex parte vested in the Asstt. Labour Commissioner and there is no evidence that it was exercised capriciously or maliciously. That was for the Government to examine whether the Asstt. Labour Commissioner submitted his failure report superficially or after making genuine efforts for conciliation. Reference cannot, therefore, be held invalid on such a flimsy ground.

9. The second attack is that the reference is mechanical because it speaks of 'Jhagrakhand Coalfields' as the employer when there is no such Coalfield. The plea is absurd and omits to take note of the correction of clerical error in the opening paragraph of the reference.

10. The third attack is that Shri J. P. Srivastava is no more on the rolls of Jhagrakhand Colliery after being relieved from there on 18-7-1975. He is now borne on the rolls of Bijuri Colliery where he has been transferred. Thus there is now no employer-employee relationship between Shri J. P. Srivastava and Jhagrakhand Colliery. How could there be an industrial dispute between such persons who are not within the concept of employer-employee relationship. This argument is again quite fallacious. The reference relates back to the validity of the transfer order and when such order was passed employer-employee relationship did admittedly exist between Jhagrakhand Colliery and Mr. Srivastava. Moreover, the management has taken the plea that both the collieries are under the same management. This means that even if Shri J. P. Srivastava is the employee of Bijuri Colliery his employer continues to be the same common employer i.e. the management of Jhagrakhand Colliery. The reference speaks of the management of North Jhagrakhand Colliery as the employer (whatever may be its extended field of activity). It cannot therefore be said that there is no employer-employee relationship between Shri J. P. Srivastava and the management of

North Jhagrakhand Colliery and consequently the validity of reference remains unassailable on this count.

11. Fourthly it is alleged that Transfer is not an industrial dispute. This again is a plea against a settled question—only a decorative unnecessary plea which should have been avoided in the interest of expeditious disposals. There are several cases in which Supreme Court has dealt with such industrial disputes of transfers. It is a dispute relating to the conditions of service as envisaged in the definition given in Sec. 2(k) of the Industrial Disputes Act.

12. Lastly the management has challenged the validity of the reference on the ground that the sponsoring union has no membership worth the name, Shri J. P. Srivastava, is the President and he has in his own interest made the move as President of the Union without seeking the mandate of the members. The Union raised the plea in para 5 of the written statement that Shri J. P. Srivastava after falling out from INTUC formed this Jhagrakhand Workers Union which has been registered with the Registrar of Trade Unions. It is actively operating in Jhagrakhand Colliery for the last few years. There is no denial of these facts in the written statement-cum-rejoinder of the management. Even their own evidence goes to show that the union has about 54 members in Jhagrakhand Colliery as against the strength of about 1100 Labourers. Whatever the number the union has membership and there is evidence that it is actively taking up cases of gratuity etc. It is a registered Union. It is, therefore, not correct to say that it is a paper union simply because it is in minority. Its existence cannot be denied.

13. This Union raised the dispute before the Assistant Labour Commissioner. Government of India accepted it to be in existence. Hence a heavy burden lay upon the management to prove to the contrary. It has failed to discharge that burden. The argument that without being authorised by a mandate of the members in the form of a resolution Shri J. P. Srivastava could not sponsor his own dispute as President of the Union, has no force because no such plea was ever raised in the written statement-cum-rejoinder and parties had no opportunity to lead evidence on that point. The propriety of such move by Shri J. P. Srivastava can be questioned only by the Union workmen and not by the management.

14. An individual dispute is converted into an industrial dispute in one of the following ways :—

- (i) If it is sponsored by the registered union of the establishment ;
- (ii) If it is sponsored by an outside general union if sufficient number of workmen of that establishment support it by a resolution ; or
- (iii) If it is supported by a substantial number of the workmen of the establishment.

In the present case the dispute became an industrial dispute as it was sponsored in the manner laid down in clause (i) above. No one can say that the Union is not interested in the cancellation of the transfer of its President. As discussed above the sponsoring Union is the Union operating in that establishment.

15. In the case of *Workmen Vs. Dharampal Premchand (Sangadhi)* (1965-I-LJ 668(673)) Supreme Court held that a dispute of 18 workmen espoused by the union of which none else in that establishment was a member was an industrial dispute. The Supreme Court observed that :

"It is not disputed that a union of workmen may validly raise a dispute as to dismissal even though it may be a union of the minority of the workmen employed in an establishment."

It is therefore, held that all this five pronged attack on the validity of reference fails and the pleas in that respect are dismissed as frivolous and untenable.

16. This brings us to the question whether transfer was in bonafide discharge of managerial functions and not in breach of service conditions because there is abundant case law from which settled position emerges out that employer is the best

judge of the way in which it's man power should be distributed (Canara Banking Corporation Vs. Vittal—1963-II-LJ (SC) 354); transfer is a right incidental to managerial functions (Marry Vs. Sclai Parai Estate-1955-I-LJ 343); it is an internal arrangement of the employer (Barcilly Electric Supply Co. Vs. Sirajuddin-1960-I-LJ 556 SC); and the Tribunal shall not interfere if it is bonafide exercise of power due to exigencies of the situation which the management shall determine and if it does not violate the service conditions of the employee or puts him to a disadvantageous position.

17. In the present case the workman was governed by the service conditions laid down in clause 30 of the Standing Orders framed by the erstwhile owner. This clause 30 envisaged transfers within the North, South and West Jhagrakhand Collieries. The service condition contained in Clause 30 of the Standing Orders of the erstwhile owner remained protected under S. 14 of Coal Mines Nationalisation Act. Thus Shri J. P. Srivastava could be transferred only within the area of the three Jhagrakhand Collieries. His transfer to an outside area like Bijuri Colliery was not envisaged under the service conditions applicable to him. Bijuri Colliery was lying closed for a long time and it was reopened only in the year 1975 when this workman was ordered to be transferred to that Colliery. The service conditions never envisaged that after take over the new employer shall open a new mine and the employee shall be transferred to that place. In Kundan Sugar Mills Vs. Ziyauddin (1960-I-LJ 766) Supreme Court said it is never the implied condition of service of a workman that the employer has right to transfer him to a new concern started by the employer subsequent to the date of employment of the workman. Applying this principle to the present identical situation it is held that the transfer is contrary to the service conditions applicable to Shri J. P. Srivastava.

18. It is again not valid because it puts the employee to a disadvantageous position. Firstly he loses the quarter. Miner's quarter which is being offered to him at Bijuri has less of living space and there is water and electric power deficiency. Moreover his case has been forwarded to anomaly committee as per statement of Shri B. S. Saikhu, M.W.I., which has yet to decide whether he should be placed in Grade I or Grade II. In case he is placed in Grade II the promotion will be a local affair and by his transfer to Bijuri Colliery he may lose that senior most position which he is occupying at North Jhagrakhand Colliery. This will retard his chances of promotion. Area-wise seniority list is maintained only for promotion to special grade from Grade I and not for promotions from Grade II to Grade I. In this way the transfer is likely to operate against his chances of promotion. Thus according to Clause 30 of the Standing Orders the transfer will be bad because it will operate adversely on the service conditions of the workman.

19. Shri J. P. Srivastava was working as Time Keeper Clerk at Jhagrakhand Colliery. It is said that for the newly opened Bijuri Colliery the management required an experienced hand. There is no evidence that no other experienced hand was available. Shri J. P. Srivastava is the President of the Jhagrakhand Workers Union. There should have been some more compelling reason to disturb such a protected type of workman for placing him at a station where he has no footing and where his union is non-existent. It may, under the circumstances, smell of malafides. A clerical job of marking attendance does not seem to be so onerous or important a task as may call for the services of such an experienced man as Mr. Srivastava is.

20. Considering all this factual and legal situation, I am inclined to hold that the transfer of Shri J. P. Srivastava from North Jhagrakhand to Bijuri Colliery vide order referred to in the Schedule of the reference was neither proper nor justified. Reference is answered accordingly.

S. N. JOHRI, Presiding Officer

12-1-1977.

[No. L-22012/23/75-D.III B/D.IVB]

BHUPENDRA NA'IH, Desk Officer

नई दिल्ली, 17 मार्च, 1977

का० प्रा० 1039—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के श्रम और पुनर्वास मंत्रालय की अधिसूचना संख्या का० प्रा० 1561 तारीख 12 अप्रैल, 1972 में एतद्वारा निम्नलिखित संशोधन करती है अर्थात्:—

उक्त अधिसूचना की सारणी में—

(i) क्रम संख्या 21 के सामने स्तंभ 3 के अन्तर्गत प्रविष्टि के स्थान पर "सम्पूर्ण भारत" शब्द रखे जायें।

(ii) क्रम संख्या 22 के सामने स्तंभ 3, के अन्तर्गत प्रविष्टि में "पंजाब हरियाणा, उत्तर प्रदेश, मध्य प्रदेश और जम्मू व कश्मीर के राज्य तथा संघ शासित क्षेत्र चंडीगढ़ व दिल्ली" जोड़े जायें।

[संसा एन-11025/5/76-डी० I(ए०)]

New Delhi, the 17th March, 1977

S.O. 1039.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Labour and Rehabilitation No. S.O. 1561 dated the 12th April, 1972, namely:—

In the Table attached to the said notification,—

(i) against serial number 21, under column 3 for the entry, the entry "whole of India" shall be substituted;

(ii) against item 22, under column 3, the entry "The States of Punjab, Haryana, Uttar Pradesh, Madhya Pradesh and Jammu and Kashmir, and the Union territories of Chandigarh and Delhi", shall be inserted.

[No. S. 11025/5/76/DI(A)]

प्रदेश

नई दिल्ली, 18 मार्च, 1977

का० प्रा० 1040.—भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० प्रा० 459 दिनांक 5 फरवरी, 1963 द्वारा गठित श्रम न्यायालय, जिसका मुख्यालय बंगलूर में स्थित है, के पीठासीन अधिकारी का पद रिक्त हो गया है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री एच० शनमुखप्पा का पूर्वोक्त गठित श्रम न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[सं० एन-11020/7/77-डी० (ए०)]

ORDER

New Delhi, the 18th March, 1977

S.O. 1040.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Bangalore constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 459 dated the 5th February, 1963.

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri H. Shanmukhappa as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S. 11020/7/77/DI(A)]

का० आ० 1041.—भारत सरकार के तत्कालीन श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1970, तारीख 28 मई, 1968 द्वारा गठित श्रम न्यायालय संख्या 2, बम्बई के पीठासीन अधिकारी के कार्यालय में एक रिक्ति हुई है,

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1917 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री पी० राम कृष्णन को 10-3-1977 से उक्त श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एस-11020/8/77-डी [ए० (i)]

S.O. 1041.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court No. 2, Bombay, constituted by the notification of the Government of India in the then Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1970 dated 28th May, 1968;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. Ramakrishna as the Presiding Officer of the said Labour Court with effect from the 10th March, 1977.

[F. No. S. 11020/8/77/DIA.(i)]

का० आ० 1042 —भारत सरकार के तत्कालीन श्रम, रोजगार और पुनर्वासि मंत्रालय, (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1971, तारीख 28 मई, 1968 द्वारा गठित औद्योगिक अधिकरण संख्या 2, बम्बई के पीठासीन अधिकारी के कार्यालय में एक रिक्ति हुई है;

अतः, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री पी० रामकृष्णन को 10-3-77 से उक्त औद्योगिक अधिकरण के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एस-11020/8/77-डी० I ए० (ii)]

एल०के० नारायणन, डेस्क अधिकारी

S.O. 1042.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Industrial Tribunal No. 2, Bombay constituted by the notification of the Government of India in the then Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) No. S.O. 1971 dated the 28th May, 1968;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. Ramakrishna, as the Presiding Officer of the said Industrial Tribunal, with effect from the 10th March, 1977.

[F. No. S. 11020/8/77/DIA.(ii)]

I. K. NARAYANAN, Desk Officer.

नई दिल्ली, 19 मार्च, 1977

का० आ० 1043.—खान अधिनियम, 1952 (1952 का 35) की धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार सर्वेक्षी ओ०पी० मालविया और डी०के० राय को मुख्य खान निरीक्षक के अधीन खान निरीक्षक के रूप में नियुक्त करती है।

[सं० ए-12025/6/75-एम०]

जगदीशचन्द्र सक्सेना, ध्वज सचिव

New Delhi, the 19th March, 1977

S.O. 1043.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Sarvashri O. P. Malviya and D. K. Roy as Inspectors of Mines subordinate to the Chief Inspector of Mines.

[No. A. 12025/6/75-MI]

J. C. SAXENA, Under Secy.

नई दिल्ली, 19 मार्च, 1977

का० आ० 1044.—व्यक्ति क्षति (आपात उपबन्ध) स्कीम, 1971 के खण्ड 2 के उपखण्ड (ग) के उपबन्ध के अनुसरण में और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 1280, तारीख 17 मई, 1974 का अतिक्रमण करते हुए, केन्द्रीय सरकार रक्षण मंत्रालय के उप सचिव, श्री क० पी० विश्वास को, रक्षा मंत्रालय के अधीन नियोजित या नियुक्त सिविलियनों की भावत, उक्त स्कीम के अधीन संदाय करने के लिए दावा अधिकारी के रूप में नियुक्त करती है।

[संख्या एस-20013/1/73-फैक.]

वी. चन्द्रा मौल, निदेशक

New Delhi, the 19th March, 1977

S.O. 1044.—In pursuance of the provision of sub-clause (c) of clause 2 of the Personal Injuries (Emergency Provisions) Scheme, 1971, and in supersession of the notification of the Government of India in the Ministry of Labour No. S. O. 1286, dated the 17th May, 1974, the Central Government hereby appoint Shri K.P. Biswas, Deputy Secretary in the Ministry of Defence as Claims Officer to make payments under the said Scheme in respect of the civilians employed or engaged under the Ministry of Defence.

[No. S-20012/1/73-Fac.]

V. CHANDRA MOULI, Director

नई दिल्ली, 21 मार्च, 1977

का० आ० 1045:—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और इस निमित्त सभी विद्यमान अधिसूचनाओं को अधिकांश करने हुए, नीचे की सारणी के स्तम्भ (1) में विनिर्दिष्ट क्षेत्रों की बाबत, उक्त अधिनियम और उसके अधीन विरचित किसी स्कीम, कुटुम्ब पेंशन स्कीम और बीमा स्कीम के प्रयोजनों के लिये, केन्द्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन या किसी ऐसे स्थापन के सम्बन्ध में जिसके विभाग या शाखाएँ एक से अधिक राज्य में हैं, निरीक्षक नियुक्त करती है।

सारणी

अधिकारी	क्षेत्र
(1)	(2)
1. प्रादेशिक भविष्य-निधि-आयुक्त सम्पूर्ण आन्ध्र प्रदेश राज्य क्षेत्र आन्ध्र प्रदेश (हैदराबाद) के और पांडिचेरी संघ राज्यक्षेत्र प्रादेशिक कार्यालय के सभी का मानस क्षेत्र।	
भविष्य निधि निरीक्षक।	

1	2
2. प्रादेशिक भविष्य-निधि-आयुक्त, उत्तरपूर्व क्षेत्र (मिज़ोरम के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण आसाम, मणिपुर, त्रिपुरा, मेघालय, नागालैंड राज्य और मिज़ोरम तथा अरुणाचल प्रदेश संघ राज्यक्षेत्र।
3. प्रादेशिक भविष्य-निधि-आयुक्त, बिहार (पटना) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण बिहार राज्य।
4. प्रादेशिक भविष्य-निधि-आयुक्त, दिल्ली के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण दिल्ली संघ राज्यक्षेत्र।
5. प्रादेशिक भविष्य-निधि-आयुक्त, गुजरात (अहमदाबाद) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण गुजरात राज्य और वादरा तथा नागर हवेली संघ राज्य क्षेत्र एवं गोवा, दमण और दीव संघ राज्यक्षेत्र के दमण तथा दीव क्षेत्र।
6. प्रादेशिक भविष्य-निधि-आयुक्त, कर्नाटक (बंगलूर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण कर्नाटक राज्य।
7. प्रादेशिक भविष्य-निधि-आयुक्त, केरल (त्रिचेन्द्रम) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण केरल राज्य तथा लक्षद्वीप संघ राज्यक्षेत्र एवं पांडिचेरी संघ राज्यक्षेत्र का मोठ क्षेत्र।
8. प्रादेशिक भविष्य-निधि-आयुक्त, मध्य प्रदेश (इन्दौर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण मध्य प्रदेश राज्य।
9. प्रादेशिक भविष्य-निधि-आयुक्त, महाराष्ट्र (मुंबई) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण महाराष्ट्र राज्य और गोवा, दमण और दीव संघ राज्यक्षेत्र का गोवा क्षेत्र।
10. प्रादेशिक भविष्य-निधि-आयुक्त, उड़ीसा (भुवनेश्वर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण उड़ीसा राज्य।
11. प्रादेशिक भविष्य-निधि-आयुक्त, पंजाब (चण्डीगढ़) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य तथा चण्डीगढ़ संघ राज्य क्षेत्र।
12. प्रादेशिक भविष्य-निधि-आयुक्त, राजस्थान (जयपुर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण राजस्थान राज्य।
13. प्रादेशिक भविष्य-निधि-आयुक्त, तमिलनाडु (मद्रास) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण तमिलनाडु राज्य और पांडिचेरी संघ राज्यक्षेत्र का पांडिचेरी और कराइक्कल क्षेत्र।

1	2
11. प्रादेशिक भविष्य-निधि-आयुक्त, उत्तर प्रदेश (कानपुर) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण उत्तर प्रदेश राज्य।
15. प्रादेशिक भविष्य-निधि-आयुक्त, पश्चिमी बंगाल (कलकत्ता) के प्रादेशिक कार्यालय के सभी भविष्य निधि निरीक्षक।	सम्पूर्ण पश्चिमी बंगाल राज्य।

[सं० ए०-12016(10)/75-मी० एफ०-1 (iii)]

New Delhi, the 21st March, 1977

S.O. 1045:—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of all the existing notifications in this regard the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the said Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of, the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Andhra Pradesh. (Hyderabad).	Whole of the State of Andhra Pradesh and Yaman area of Union territory of Pondicherry.
2. All the Provident Fund Inspectors in the Office of the Regional Provident Fund Commissioner, North Eastern Region (Shillong).	Whole of the State of Assam, Manipur, Tripura, Meghalaya, Nagaland and the Union territory of Mizoram
3. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Bihar (Patna).	and Arunachal Pradesh, whole of the state of Bihar.
4. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Delhi.	Whole of the Union territory of Delhi.
5. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Gujarat. (Ahmedabad).	Whole of the State of Gujarat and the Union territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union territory of Goa, Daman and Diu.

Officers (1)	Area (2)
6. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Karnataka (Bangalore).	Whole of the State of Karnataka
7. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Kerala (Trivandrum)	Whole of the State of Kerala and the Union territory of Lakshadweep and the Mahe area of the Union territory of Pondicherry.
8. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.
9. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Maharashtra (Bombay).	Whole of the State of Maharashtra and the Goa area of the Union territory of Goa, Daman and Diu.
10. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Orissa (Bhubaneswar).	Whole of the State of Orissa.
11. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Punjab (Chandigarh).	Whole of the State of Punjab, Haryana and Himachal Pradesh and the Union territory of Chandigarh.
12. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Rajasthan (Jaipur).	Whole of the State of Rajasthan.
13. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Tamil Nadu (Madras).	Whole of the State of Tamil Nadu and the Pondicherry and Karaikal areas of the Union territory of Pondicherry.
14. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, Uttar Pradesh (Kanpur).	Whole of the State of Uttar Pradesh.
15. All the Provident Fund Inspectors in the Regional Office of the Regional Provident Fund Commissioner, West Bengal (Calcutta).	Whole of the State of West Bengal and the Union territory of the Andaman and Nicobar Islands.

[No. A 12016(10)/75-PFI(iii)]

का० आ० 1016--केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपवन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, और इस निमित्त सभी विद्यमान अधिसूचनाओं को अधिकृत करने हुए, नीचे की सारणी के मन्त्र (1) में विनिर्दिष्ट क्षेत्रों की बाबत, उक्त अधिनियम और उसके 158 GI/76-4

अधीन विरचित किसी स्कीम, कुटुम्ब पेंशन स्कीम और बीमा स्कीम के प्रयोजनों के लिये, केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या क्षेत्र या नियोजित उद्योग में सम्बन्धित किसी स्थापन या किसी ऐसे स्थापन के सम्बन्ध में जिसके विभाग या शाखाएँ एक से अधिक राज्य में हैं, निरीक्षक नियुक्त करनी है।

सारणी

अधिवार्ती (1)	क्षेत्र (2)
1. प्रादेशिक भविष्य-निधि-आयुक्त, आन्ध्र प्रदेश (हैदराबाद) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	सम्पूर्ण आन्ध्र प्रदेश राज्य क्षेत्र और पांडिचेरी संघ राज्य क्षेत्र का यानम क्षेत्र।
2. प्रादेशिक भविष्य-निधि-आयुक्त, बिहार (पटना) के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।	सम्पूर्ण बिहार राज्य।
3. प्रादेशिक भविष्य-निधि-आयुक्त, दिल्ली के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।	सम्पूर्ण दिल्ली संघ राज्यक्षेत्र।
4. प्रादेशिक भविष्य-निधि-आयुक्त, गुजरात (अहमदाबाद) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	सम्पूर्ण गुजरात राज्य और वादरा तथा नागर हवेली संघ राज्यक्षेत्र एवं गोवा, दमण और दीव संघ राज्यक्षेत्र के दमण तथा दीव क्षेत्र।
5. प्रादेशिक भविष्य-निधि-आयुक्त, कर्नाटक (बंगलूर) के प्रादेशिक कार्यालय के सभी सहायक भविष्यनिधि आयुक्त।	सम्पूर्ण कर्नाटक राज्य।
6. प्रादेशिक भविष्य-निधि-आयुक्त, केरल (त्रिवेन्द्रम) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	सम्पूर्ण केरल राज्य तथा लक्षद्वीप संघ राज्यक्षेत्र एवं पांडिचेरी संघ राज्यक्षेत्र का मोह क्षेत्र।
7. प्रादेशिक भविष्य-निधि-आयुक्त, मध्य प्रदेश (इन्दौर) के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।	सम्पूर्ण मध्य प्रदेश राज्य।
8. प्रादेशिक भविष्य-निधि-आयुक्त, महाराष्ट्र (मुम्बई) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।	सम्पूर्ण महाराष्ट्र राज्य और गोवा, दमण और दीव संघ राज्यक्षेत्र का गोवा क्षेत्र।
9. प्रादेशिक भविष्य-निधि-आयुक्त, उड़ीसा (भुवनेश्वर) के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।	सम्पूर्ण उड़ीसा राज्य।
10. प्रादेशिक भविष्य-निधि-आयुक्त, पंजाब (लुडियाना) के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।	सम्पूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य तथा जम्मू और कश्मीर संघ राज्यक्षेत्र।

अधिकारी (1)	क्षेत्र (2)	Officers (1)	Area (2)
11. प्रादेशिक भविष्य निधि आयुक्त, सम्पूर्ण राजस्थान राज्य। राजस्थान (जयपुर) के प्रादेशिक कार्यालय के सहायक भविष्य निधि आयुक्त।		4. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Gujarat (Ahmedabad).	Whole of the State of Gujarat and the Union territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union territory of Goa, Daman and Diu.
12. प्रादेशिक भविष्य निधि आयुक्त, सम्पूर्ण तमिलनाडु राज्य और पांडि- चैरी संघ राज्य क्षेत्र का पांडिचेरी शिक्षा कार्यालय के सभी सहायक और कराइकल क्षेत्र। भविष्य निधि आयुक्त।		5. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner Karnataka (Bangalore).	Whole of the State of Karnataka.
13. प्रादेशिक भविष्य निधि आयुक्त, उत्तर प्रदेश (कानपुर) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।		6. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Kerala (Trivandrum).	Whole of the State of Kerala and the Union territory of Lakshadweep and the Mahe area of the Union territory of Pondicherry.
14. प्रादेशिक भविष्य निधि आयुक्त, सम्पूर्ण पश्चिमी बंगाल राज्य। पश्चिमी बंगाल (कलकत्ता) के प्रादेशिक कार्यालय के सभी सहायक भविष्य निधि आयुक्त।		7. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.

[सं. ए० 12018(10)/75-पी० एफ०-1(ii)]

S.O. 1046.—In exercise of the powers conferred by sub section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and in supersession of all the existing notifications in this regard, the Central Government hereby appoints the Officer specified in Column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. All the Assistant Provident Fund Commissioners in the Office of the Regional Provident Fund Commissioner, Andhra Pradesh (Hyderabad).	Whole of the State of Andhra Pradesh and the Yanam area of Union territory of Pondicherry.
2. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Bihar (Patna).	Whole of the State of Bihar.
3. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Delhi.	Whole of the Union Territory of Delhi.
4. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Gujarat (Ahmedabad).	Whole of the State of Gujarat and the Union territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union territory of Goa, Daman and Diu.
5. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner Karnataka (Bangalore).	Whole of the State of Karnataka.
6. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Kerala (Trivandrum).	Whole of the State of Kerala and the Union territory of Lakshadweep and the Mahe area of the Union territory of Pondicherry.
7. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.
8. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Maharashtra (Bombay).	Whole of the State of Maharashtra and the Goa area of the Union territory of Goa, Daman and Diu.
9. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Orissa (Bhubaneswar).	Whole of the State of Orissa.
10. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Punjab (Chandigarh).	Whole of the States of Punjab, Haryana and Himachal Pradesh and Union territory of Chandigarh.
11. The Assistant Provident Fund Commissioner in the Regional Office of the Regional Provident Fund Commissioner, Rajasthan (Jaipur).	Whole of the State of Rajasthan.
11. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Tamil Nadu (Madras).	Whole of the State of Tamil Nadu and the Pondicherry and Karaikal areas of the Union territory of Pondicherry.
13. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, Uttar Pradesh (Kanpur).	Whole of the State of Uttar Pradesh.

Officers (1)	Area (2)
14. All the Assistant Provident Fund Commissioners in the Regional Office of the Regional Provident Fund Commissioner, West Bengal, (Calcutta)	Whole of the State of West Bengal and the Union territory of the Andaman and Nicobar Islands.

[No. A.12016(10)/75-PFI(ii)]

क्र० आ० 1047.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और इस निमित्त सभी विद्यमान अधिसूचनाओं को अधिकृत करते हुए, नीचे की सारणी के स्तम्भ (1) में विनिर्दिष्ट अधिकारियों की सारणी के स्तम्भ (2) की सम्बन्धी प्रविष्टियों में विनिर्दिष्ट क्षेत्रों की बाबत, उक्त अधिनियम और उसके अधीन विरचित किसी स्कीम, शुटल पेंशन स्कीम और बीमा स्कीम के प्रयोजनों के लिये, केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग में सम्बन्धित किसी स्थापन या किसी ऐसे स्थापन के सम्बन्ध में जिसके विभाग या शाखाएँ एक से अधिक राज्य में हैं, निरीक्षक नियुक्त करनी हैं।

सारणी

अधिकारी (1)	क्षेत्र (2)
1. केन्द्रीय भविष्य निधि आयुक्त	सम्पूर्ण भारत
2. केन्द्रीय भविष्य निधि आयुक्त	सम्पूर्ण भारत
3. प्रादेशिक भविष्य निधि आयुक्त, आन्ध्र प्रदेश (मुख्यालय, हैदराबाद)	सम्पूर्ण आन्ध्र प्रदेश राज्य और पांडिचेरी संघ राज्य क्षेत्र का यानम क्षेत्र।
4. प्रादेशिक भविष्य निधि आयुक्त, उत्तर पूर्व क्षेत्र (मुख्यालय, शिलांग)	सम्पूर्ण आसाम, गणिपुर, त्रिपुरा, मेघालय, नागालैंड राज्य और मिजोरम तथा अरुणाचल प्रदेश संघ राज्य क्षेत्र।
5. प्रादेशिक भविष्य निधि आयुक्त, बिहार (मुख्यालय, पटना)	सम्पूर्ण बिहार राज्य
6. प्रादेशिक भविष्य निधि आयुक्त, दिल्ली।	सम्पूर्ण दिल्ली संघ राज्य क्षेत्र।
7. प्रादेशिक भविष्य निधि आयुक्त, गुजरात (मुख्यालय, अहमदाबाद)	सम्पूर्ण गुजरात राज्य और दादरा तथा नागर हवेली संघ राज्य क्षेत्र एवं गोवा, दमण और दीव संघ राज्य क्षेत्र के दमण तथा दीव क्षेत्र।
8. प्रादेशिक भविष्य निधि आयुक्त, कर्नाटक (मुख्यालय, बंगलौर)	सम्पूर्ण कर्नाटक राज्य।

अधिकारी (1)	क्षेत्र (2)
9. प्रादेशिक भविष्य निधि आयुक्त, केरल।	सम्पूर्ण केरल राज्य तथा लक्षद्वीप संघ राज्यक्षेत्र एवं पांडिचेरी संघ राज्यक्षेत्र का माहे क्षेत्र।
10. प्रादेशिक भविष्य निधि आयुक्त, मध्य प्रदेश (मुख्यालय, इन्दौर)	सम्पूर्ण मध्य प्रदेश राज्य।
11. प्रादेशिक भविष्य निधि आयुक्त, महाराष्ट्र (मुख्यालय, मुम्बई)	सम्पूर्ण महाराष्ट्र राज्य और गोवा, दमण और दीव संघ राज्य क्षेत्र का गोवा क्षेत्र।
12. प्रादेशिक भविष्य निधि आयुक्त, उड़ीसा (मुख्यालय, भुवनेश्वर)	सम्पूर्ण उड़ीसा राज्य।
13. प्रादेशिक भविष्य निधि आयुक्त, पंजाब (मुख्यालय, चण्डीगढ़)	सम्पूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य तथा चण्डीगढ़ संघ राज्य क्षेत्र।
14. प्रादेशिक भविष्य निधि आयुक्त, राजस्थान (मुख्यालय, जयपुर)	सम्पूर्ण राजस्थान राज्य।
15. प्रादेशिक भविष्य निधि आयुक्त, तमिलनाडु (मुख्यालय, भद्रम)	सम्पूर्ण तमिलनाडु राज्य और पांडिचेरी संघ राज्य क्षेत्र का पांडिचेरी और कराइकल क्षेत्र।
16. प्रादेशिक भविष्य निधि आयुक्त, उत्तर प्रदेश (मुख्यालय, कानपुर)	सम्पूर्ण उत्तर प्रदेश राज्य।
17. प्रादेशिक भविष्य निधि आयुक्त, पश्चिमी बंगाल (मुख्यालय, कलकत्ता)	सम्पूर्ण पश्चिमी बंगाल राज्य और अन्वर्तमान तथा निकोबार द्वीप संघ राज्य क्षेत्र।

[सं० ए०-12016(10)/75-पी० एफ० 1(1)]

S.O. 1047. —In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of all the existing notifications in this regard the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof, for the purposes of the said Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

Officers (1)	Area (2)
1. Central Provident Fund Commissioner.	Whole of India.
2. Deputy Central Provident Fund Commissioner.	Whole of India.
3. Regional Provident Fund Commissioner, Andhra Pradesh (Headquarters at Hyderabad)	Whole of the State of Andhra Pradesh and the Yanam area of the Union Territories of Pondicherry.

4. Regional Provident Fund Commissioner, North Eastern Region, (Headquarters at Shillong).	Whole of the State of Assam, Manipur, Tripura Meghalaya, Nagaland and the Union Territories of Mizoram and Arunachal Pradesh.
5. Regional Provident Fund Commissioner, Bihar (Headquarters at Patna).	Whole of the State of Bihar.
6. Regional Provident Fund Commissioner, Delhi.	Whole of the Union Territory of Delhi.
7. Regional Provident Fund Commissioner, Gujarat, (Headquarters at Ahmedabad).	Whole of the State of Gujarat and the Union Territory of Dadra and Nagar Haveli and the Daman and Diu areas of the Union Territory of Goa, Daman and Diu.
8. Regional Provident Fund Commissioner, Karnataka, (Headquarters at Bangalore).	Whole of the State of Karnataka.
9. Regional Provident Fund Commissioner, Kerala (Headquarters at Trivandrum).	Whole of the State of Kerala, and the Union Territory of the Lakshadweep and the Mahe area of the Union Territory of Pondicherry.
10. Regional Provident Fund Commissioner, Madhya Pradesh. (Headquarters at Indore)	Whole of the State of Madhya Pradesh.
11. Regional Provident Fund Commissioner, Maharashtra. (Headquarters at Bombay).	Whole of the State of Maharashtra and the Goa area of the Union Territory of Goa, Daman and Diu.
12. Regional Provident Fund Commissioner, Orissa (Headquarters at Bhubaneswar).	Whole of the State of Orissa.
13. Regional Provident Fund Commissioner, Punjab (Headquarters at Chandigarh).	Whole of the States of Punjab, Haryana and Himachal Pradesh and the Union Territory of Chandigarh.
14. Regional Provident Fund Commissioner, Rajasthan (Headquarters at Jaipur).	Whole of the State of Rajasthan.
15. Regional Provident Fund Commissioner, Tamil Nadu. (Headquarters at Madras).	Whole of the State of Tamil Nadu, and the Pondicherry and Karaikal areas of the Union Territory of Pondicherry.
16. Regional Provident Fund Commissioner, Uttar Pradesh, (Headquarters at Kanpur)	Whole of the State of Uttar Pradesh.
17. Regional Provident Fund Commissioner, West Bengal. (Headquarters at Calcutta).	Whole of the State of West Bengal and the Union Territory of the Andaman and Nicobar Islands.

[No. A. 12016(10)/75-PF, I(i)]

का. आ. 1048.—केंद्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 4 के उपपैरा (1) के खण्ड (घ) के अनुसरण में श्री एन. के. सोगानी को, भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं. का.आ. 3140 तारीख 29 अगस्त, 1967 के अधीन राजस्थान राज्य के लिए स्थापित क्षेत्रीय समिति का सदस्य नियुक्त करती है और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं. का.आ. 3108, तारीख 14 नवम्बर, 1974 में निम्नीलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम सं. 9 के सामने की प्रविष्टि, "कामरंड हीरेन मुखर्जी, राजस्थान स्टेट ट्रेड यूनियन कांग्रेस, 'सोमानी भवन' स्टेशन रोड, जयपुर-6" के स्थान पर निम्नीलिखित रखा जाएगा, अर्थात् :—

"श्री एन. के. सोगानी, राजस्थान स्टेट कमिटी आफ आल इण्डिया ट्रेड यूनियन कांग्रेस, सिन्धी कैंप के सामने, जयपुर"।

[सं. बी. 20012(4)/72-पी.एफ.-2]

एस. एस. सहस्रनामन, उप सचिव

S.O. 1048.—In pursuance of clause (d) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri N. K. Sogani as a member of the Regional Committee set up for the State of Rajasthan under the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3140 dated the 29th August, 1967 and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 3108, dated the 14th November, 1974, namely :—

In the said notification in the entries against serial No. 9, for "Com. Hiren Mukherjee, Rajasthan State Trade Union Congress, 'Somani Bhavan', Station Road, Jaipur-6" the following shall be substituted, namely :—

"Shri N. K. Sogani, Rajasthan State Committee of All India Trade Union Congress, Opposite Sindhi Camp, Jaipur".

[No. V. 20012/4/72-PF, II]

S. S. SAHASRANAMAN, Dy. Secy.

S.O. 1049.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 14th March, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (NO. 3) AT DHANBAD

Reference No. 27 of 1976

PARTIES :

Employers in relation to the management of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad.

AND

Their Workmen

APPEARANCES :

On behalf of the Employers.—Shri Prasanta Burman
Junior Law Officer.

On behalf of the Workmen.—Shri S. P. Singh, Secretary,
Khan Mazdoor Congress.

STATE : Bihar

INDUSTRY : Coal

Dated, the 10th March, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/32/76/DHIA, dated, New Delhi, 15-5-1976. It relates to Shri Manik Chandra Pashi and Diljan Bhar, Miners of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad, and the matter involved is the justifiability of the action of the management in refusing to provide light job to two concerned workmen. The schedule of reference runs as follows :—

SCHEDULE

"Whether the action of the management of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited Post Office Jharia, District Dhanbad in refusing to provide light job to S/Shri Manik Chandra Pashi and Diljan Bhar Miners on the ground of ill health is justified? If not, to what relief are the workmen entitled?"

2. The General Secretary, Khan Mazdoor Congress, by his letter dated 2-12-75, raised an industrial dispute before the Assistant Labour Commissioner (C), Dhanbad, when conciliation proceeding followed. The management, however, refused to provide the two concerned workmen with light job and thus conciliation proceeding failed. The A.L.C. (C) submitted failure report of conciliation proceeding to the Secretary to the Government of India, Ministry of Labour and then the present reference was made.

3. There are certain admitted facts in the reference. Manik Chandra Pashi was appointed as pick Miner on 3-11-67 and Diljan Bhar was also appointed as Pick Miner on 13-6-61. Manik Chandra Pashi became victim of backache and Satica and Diljan Bhar of T.B. as well as pain in his knee and both were under the treatment in the Central Hospital, Dhanbad, for a considerable time. When they were discharged the Medical Officer recommended light job on surface and advised them to attend the hospital periodically for check up and treatment. There was an agreement on 6-9-74 between the management of the Bharat Coking Coal Limited and the United Coal Workers' Union representing the majority of workmen by which Manik Chandra Pashi was to be provided with light job for a period of three months whereafter he was to go to his original work. Similarly, Diljan Bhar was to be given light job for 6 months. As per agreement the management provided them with light jobs and after the completion of three months in case of Manik Chandra Pashi and 6 months in case of Diljan Bhar the management refused to provide any light job and directed them to go back to their substantive job where they did not report. When they were refused light job they approached the Union which had entered into an agreement on their behalf but they refused to take up their cause. Thereafter, they approached the Khan Mazdoor Congress when the present dispute was sponsored.

4. Case of the workmen is that after expiry of the period mentioned in the agreement advice of the Medical Officer, Central Hospital was not sought for regarding the health of the concerned workmen and having refused to be provided with light job the management has thrown them out of employment and they are not in a state of health to join as pick miners. According to them it is incumbent upon the management to provide them with light job and their action in refusing them light job is unjustified.

5. On behalf of the management it is submitted that as number of light job available in a colliery is always very limited, the management cannot afford to provide light jobs to all the post-treatment workers for an indefinite period. In fact some sort of preference has to be given in this regard to the victim of mining accidents. It is further said that as per terms of the agreement they were provided with light job whenever available and after expiry of the period mentioned in the agreement they did not resume their original duties, nor they produced any reliable medical certificate recommending any light duties for extended period. They maintain that they are under no obligation to provide light duty to any workman as a matter of right and there are no rules, regulations, statute, contract or agreement to that effect.

6. In support of the workmen's case, the two concerned workmen have examined themselves. Manik Chandra Pashi as WW-1 and Diljan Bhar as WW-2. The management has examined Shri A. K. Srivastava Personnel Officer who was attached to the East Bhuggatdih Colliery from December, 1972 to October, 1976 as Welfare Officer and thereafter as Personnel Officer and he has also been signatory to the agreement Ext. M-1.

7. As the position stands the two concerned workmen were given light job under an agreement wherein the period was also fixed. Having taken advantage of the agreement it is not now open to them to turn round and say that they do not accept the agreement and they must be provided with light job so long as they wish. It is not disputed that they were under treatment in the Central Hospital and Manik Chandra Pashi was under treatment for about 1 1/2 years. So far as the other concerned workman is, he admits that he had been cured of T.B. but he has still pain near the leg. There is, however, no certificate or anything on their behalf recommending light job to them for extended period. If they were attending the hospital as advised by the physician had they been unfit to resume their duties he must have recommended light job on the surface for them. There being nothing on record to that effect it is very difficult to hold in their favour that they are still unable to work as Pick Miner.

8. The agreement was arrived at on 6-9-74 and Diljan Bhar was given light job for 6 months and Manik Chandra Pashi for three months. Manik Chandra Pashi has stated that he was put on light job for about a year. Diljan Bhar has not said as to for how long he was given light job but he admits that he was on light job intermittently for some time, certainly for more than 6 months.

9. Certain slips granted by the Central Hospital have been produced, five concerning Diljan Bhar and six for Manik Chandra Pashi. They have not been marked exhibits but I consider necessary to discuss them here to see if actually they are not in a position to work as Pick Miner. The slip dated 3-5-75 relates to Diljan Bhar in which he has been advised surface duties. There is another slip dated 10-4-75 in which he has been advised rest for four months. Although the advice was for 4 months the slip dated 3-5-75 shows that he was advised surface duties and not rest. No period is mentioned herein. So far as Manik Chandra Pashi is concerned he was advised light duties on 11-11-75 and prior to that on 17-4-75. As I have said earlier no certificate was brought from the Central Hospital advising them light job after expiry of the period mentioned in the agreement. Therefore, the slips are of no avail and do not make out a case in their favour for extended period of light job.

10. Besides, undoubtedly it is not at all obligatory on the management to provide them with light job. This aspect of the matter was considered by the Coal Wage Board and in Chapter 15 at page 47 Vol. I the Board considered the suggestions or alternative light employment for disabled workmen and recommended that the Government should look into the matter and formulate a proper scheme to ensure that disabled workman were provided with such alternative employment. But no scheme has been framed by the Central Government so far and nothing has been done in this regard. Provision for light job is possible only if it is available and merely because some workmen have been provided with light job that cannot make out a case in favour of these concerned workmen.

11. MW-1 has stated that when the two concerned workmen were put on light job they were working the different types of jobs as and when available. He says further that they did not have light jobs with which they can provide many workmen. He says further that it is a fact that in the collieries many workmen claim light job but there is no scope. It would thus appear that as the position stands the workmen have no right to claim light job and the management is under no obligation to provide them with any such job for an indefinite period.

12. WW-1 has stated that he was on light jobs like Banksman and Munshi and a permanent Munshi has been appointed on that job and a casual workman has been appointed as a Banksman. Duties of Banksman is of a highly skilled type as defined in Regulation 52 of Coal Mines Regulations, 1957 as modified upto 31st March, 1967. It does not seem possible that he could have been provided with that job. If the permanent Munshi has been appointed in his place he can have no grievance on that score.

13. WW-2 Diljan Bhar has stated that he was working under ground pit on sampling work and subsequently says that he was working as cleaning Mazdoor. This type of job is also of a highly skilled nature as we get from the regulation No. 51 of Coal Mines Regulations, 1957 as modified upto 31st March, 1967. It does not seem probable that a Pick Miner could have been provided with such a job.

14. The fact, however, remains that they were given light jobs for a certain definite period as recommended by Doctor and subsequently they were asked to go back to their substantive job to which they did not report. The action of the management in not providing light job cannot be said to be unjustified in view of the fact that they are under no obligation to provide them with light job for an indefinite period. The contract between them and the employers was of service as a miner and that they have broken. In a similar reference the award of which was published in the Gazette of India dated July 19, 1969 at page 3046 the Tribunal had held that the employers could not be compelled to provide the affected workman with light job on the surface.

15. I am, therefore, of the opinion that the action of the management of East Bhuggatdih Colliery of M/s. Bharat Coking Coal Limited in refusing to provide light job to Shri Manik Chandra Pashi and Diljan Bhar, Miners on the ground of ill-health is justified and they are entitled to no relief.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/32/76-D, III(A)]

New Delhi, the 21st March, 1977

S.O. 1050.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Ram Kanali Colliery of Messrs. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 18th March, 1977.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-1 LABOUR-COURT NO. 3, AT DHANBAD**

Reference No. 18 of 1976

PARTIES:

Employers in relation to the management of Ram Kanali Colliery of M/s. B. C. C. Ltd. P.O. Katrasgarh Distt. Dhanbad;

AND

Their Workmen.

APPEARANCES:

On behalf of the Employers—Shri P. K. Bunnar, Junior Law Officer.

On behalf of the Workmen—Shri Shankar Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dated, Dhanbad, the 11th March, 1977

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/97/75-D. III(A) dated, New Delhi, 24-3-76 in which the two concerned workmen of Ram Kanali Colliery of Messrs. Bharat Coking Coal Limited are involved. It is concerning the action of the management in refusing work to the two concerned workmen with effect from 4-6-73. The schedule of reference runs as follows:—

SCHEDULE

"Whether the action of the management of Ram Kanali Colliery of M/s. Bharat Coking Coal Limited, P.O. Katrasgarh, Distt. Dhanbad is justified in not providing work to Shri Gopal Krishan Sahai, Munshi and Sachi Kumar, General Mazdoor with effect from 4-6-73? If not to what relief the workmen concerned are entitled?"

2. It appears that when the two concerned workmen were not provided with job representations were made to the management and thereafter an industrial dispute was raised. The Assistant Labour Commissioner (C), Dhanbad, took up the matter and started the conciliation proceeding which, however, ended in failure and then a failure report was submitted to the Government when the present reference was made.

3. On behalf of the workmen it is said that Ram Kanali Colliery being a non-coking coal mine its management was taken over by the Central Government with effect from 31-1-73 and M/s. B. C. C. Ltd. was appointed additional Custodian General. Subsequently, it was nationalised with effect from 1-5-73 and M/s. B. C. C. Ltd. took over its ownership, management and control.

4. Their case is that at the time of take over the two concerned workmen were in the list of employees as they were working prior to 31-1-73. Subsequently, they became the employees of the Bharat Coking Coal Limited under the Coal Mines Nationalisation Act, 1973. But without any reason they were stepped from work with effect from 4-6-73.

5. They put in representations and the then Sub-Area Manager, Sub-Area No. VII wrote to the General Manager, Area No. II to absorb them as they were already there in Form B Register. Even then they were not given any job and consequently the industrial dispute was raised.

6. Case of the management is that on the date of take over and immediately thereafter, the concerned workmen were not found in the colliery and reported for work after a considerable lapse of time. They were allowed to work with effect from 14-4-73 provisionally pending investigation and as it was found that they had been entered in Form B Register surreptitiously showing the dates of appointment as on 7-6-71, the management treated them as inductees and did not provide them with job.

7. It is further said that the concerned workmen had not worked in the colliery during the whole of the year 1972. Sachi Kumar had not worked for any day before he was allowed to join provisionally on 14-4-73 and Gopal Krishan Sahai was entered in wage sheets of the week ending 27-1-73 only by manipulation in record. It is accordingly said that the management was justified in refusing employment to the two concerned workmen.

8. In support of their case the two concerned workmen have examined themselves. Gopal Krishan Sahai as WW-1 and Sachi Kumar as WW-2. Ex. W-1 is a letter dated 31-12-74

and Ext. W-2 is a letter of the Sub-Area Manager dated 12-6-74. Ext. W-3 is a raising diary of under ground Murshi of the year 1973 produced by WW-1, Gopal Krishan Sahai.

9. On behalf of the management MW-1, Bonus Clerk and MW-2, Shri Nupendra Yadav, Personnel Officer, have been examined and bonus register of the year 1973 has been proved by MW-1 and marked Ext. M-1 and bonus register of the year 1972 has been proved by MW-2 and marked as Ext. M-1/1.

10. Bonus Register is prepared on the basis of wage-sheet. At page 227 in Ext. M-1 Gopal Krishan Sahai is mentioned and it appears that on 6-9-73 he received the bonus amount. At page 234 of the same Register bonus on behalf of Sachi Kumar, another concerned workman, was received by his brother, Panchanan Kumar. It may be mentioned that Panchanan Kumar, brother of Sachi Kumar and Balram Prasad, brother of Gopal Krishan Sahai were working in the colliery from the time of the ex-owner.

11. In Ext. M-1/1 which is for the year 1972 there is no mention of the name of the two concerned workmen which means that they did not receive the bonus of the whole of the year 1972.

12. Nothing has been brought on record on behalf of the concerned workmen that they were member of the provident fund scheme and except Ext. W-2 and W-3 no document has been produced on their behalf to show that they were working in the colliery from the time of ex-owner and take over and nationalisation of the coal mine in question. Ext. W-3 is the diary of the year 1973 produced by Gopal Krishan Sahai which shows that he was working as an underground Murshi. Undoubtedly, it supports his case that at the time when the management of the colliery was taken over and at the time of nationalisation as well the concerned workman was there in the colliery and working in that capacity. He says that he was appointed in March, 1969 and worked till June, 1973. No appointment letter has been produced. But it is a matter of common knowledge that at the time when the collieries were in private hands everything was done in irregular manner viz. appointments were made entirely by the owner at his will, employees were discharged on his whims, Form B Register used to be in the custody of the owner's own man, every employee was not made member of the provident fund scheme and even every employee was not given bonus. There is one instance available on record which will show how the ex-owners were manipulating the documents and maintaining them according to their own sweet will.

13. We get from the evidence of MW-1 that in the first quarter of 1973 bonus was paid to 209 employees but MW-2 says that for the first quarter of 1972 only 37 employees were given bonus. We get from the evidence of this witness that he was appointed in 1969 and worked in the colliery concerned till 1974 and he has written Ext. M-1/1. He admits that a Welfare Officer was appointed only when the strength in the mine was upto 500. It means that in 1972 when he was working as Welfare Officer undoubtedly only 37 persons could not have been there working in the mine. It shows that Ext. M-1/1 is not a document on which any reliance can be placed and merely because the two concerned workmen did not find mention in this bonus register it cannot lead to an irresistible conclusion that they were not in the employment in the colliery in the year 1972.

14. Position, therefore, comes to this that no reliance can be placed on Ext. M-1/1 and in 1973 in the first quarter the two concerned workmen got their bonus. There is nothing surprising if they have not got appointment letter and they were not made members of the provident fund scheme. To me it appears that as the position is case of the workmen stands on a much better footing and in view of the fact they had received bonus in the first quarter of 1973 and MW-1 Gopal Krishan Sahai was maintaining Diary as an Under Ground Murshi in 1973, it becomes certain that they were there in 1973 and there is no material for a conclusion that they were not in employment in 1972 or earlier.

15. MW-1 was Bonus Clerk from 19th August, 1971 to 15th April, 1976 and he says that the concerned workmen were not working in the colliery prior to the taking over of the management. He admits in cross-examination that

he had no knowledge about the strength of the colliery prior to 10th August, 1971 and he cannot say what was the strength of the employees of the colliery on the date he joined and thereafter. He cannot say if at the time of the ex-owner all the persons working in the colliery were not in the list of employees and he cannot say if only few of them were allowed to contribute to provident fund. He has stated that he used to make posting in the Bonus Register only on the basis of wage sheets given to him. It would thus appear that his evidence is of negative nature and one thing is clear that bonus Register produced here cannot be relied upon as there is no wage sheets to support them.

16. So far as MW-2 is concerned, he says that before 31-1-73 the two concerned workmen had never worked in the colliery and he wrote the Bonus Register, Ext. M-1/1 on the basis of wage sheets. As I have already said earlier wage sheets have not been produced. He has stated that wage sheets used to be verified on the basis of Attendance Register. That register has also not been produced. It seems that merely because no complaint was made to him regarding non-payment of bonus to the two concerned workmen in 1972 he is of the view that the two concerned workmen were not there in the colliery in the year 1972. To me it appears that his evidence does not carry us anywhere.

17. The two important materials in favour of the workmen are the Bonus Register of 1973 and Diary of 1973, Ext. W-1 and Ext. W-3 respectively. There is the letter Ext. W-2 dated 12th June, 1974 which speaks a volume in their favour. This letter was written by the Sub-Area Manager to the General Manager, Area No. II Sijua on the representation of Gopal Krishan Sahai, Munshi and Shri Sachi Kumar General Mazdoor. Sub-Area Manager has stated that on verification it has been found that the former was employed as Munshi and the latter as General Mazdoor at the West Ram Kanali Colliery at the time of take over and after take over they were allowed to continue to work in their respective capacity casually. He says further that on verification of Pay Register it is found that Shri Gopal Krishan Sahai had put in 47 days of attendance and Shri Sachi Kumar 36 days of attendance upto the date of stoppage of their work. The Sub-Area Manager has further said in the letter that in Form B Register the two concerned workmen were found. On these materials he recommended to the General Manager that as the two concerned persons were genuine workers of the colliery, they should be taken into employment if not regularly at least on casual basis.

18. On behalf of the management it is said that on investigation it was found that they were inductees and accordingly they were refused employment. There is nothing on record regarding that enquiry. It is only the statement made by the management in their written statement unsupported by any document.

19. Thus, while on behalf of the two concerned workmen there are documents on record, on behalf of the management there is nothing of substance and important materials to support their case have not been produced.

20. Therefore, in my opinion, there was absolutely no justification in stopping them from work with effect from 4-6-73. The jobs done by them were of permanent nature and they could not have been inducted on those jobs unless they were actually there working as genuine employees since long. Besides, if they were there at the time of nationalisation they could not have been refused employment against the statutory right which had been created in them under Section 14 of the Coal Mines (Nationalisation) Act, 1973.

21. That being so, action of the management of Ram Kanali Colliery of M/s. Bharat Coking Coal Limited, P.O. Katrasgarh, Distt. Dhanbad is not justified in not providing work to Shri Gopal Krishan Sahai, Munshi and Sachi Kumar, General Mazdoor, with effect from 4-6-73. They are entitled to reinstatement and back wages for the idle period from 4-6-73 till the date of reinstatement.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/97/75-D.III(A)]

S. H. S. IYER, Desk Officer

New Delhi, the 22nd March, 1977

S.O. 1051.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of the Bank of Baroda Dabhoi and their workman, which was received by the Central Government on the 9-3-77.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Reference No. CGIT-6 of 1976

PARTIES :

Employers in relation to the Bank of Baroda

AND

Their workman Shri K. R. Mehta

APPEARANCES :

For the employers : 1. Shri C. V. Pawaskar.

2. Shri R. B. Pitale, Officers of Bombay Chamber of Commerce.

For the workman : Shri D. V. Gangal, Advocate.

INDUSTRY : Banking

STATE : Gujarat.

Bombay, dated the 10th February, 1977

AWARD

The Government of India, Ministry of Labour by order No. L-12012/96/75-D. II(A) dated the 20th July, 1976 in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 has referred an industrial dispute existing between the employers in relation to this Bank of Baroda and their workman Shri K. R. Mehta. The dispute is "whether the action of the management of the Bank of Baroda, Bhadran Branch, in terminating the services of Shri K. R. Mehta with effect from the 19th December, 1974 is justified? If not, to what relief is the said workman entitled?"

2. Having regard to the preliminary point raised and discussed below, it will not be necessary to set out the facts in detail. Suffice it to say that in respect of the termination of service of the same Shri K. R. Mehta with effect from the 19th December, 1974 as previous reference had been made by the Government of India, in the Ministry of Labour, which was registered by this Tribunal as Reference No. CGIT-38 of 1975. While referring the matter for adjudication to the Tribunal the order of Government of India stated that an industrial dispute existed between the employers in relation to the Bank of Baroda and their workman. During the course of hearing two preliminary points were urged. The first was that no valid demand was made by the workman Shri K. R. Mehta on the management before commencement of the conciliation proceedings the next objection was that no industrial dispute existed between the Bank on one side and the workmen on the other since neither workmen nor any of the unions functioning in the Bank espoused the cause of workman concerned. Decision on the first point centred round the letter dated the 20th December, 1974 written by the workman to the Bank. The Tribunal held that though the letter was not couched in strong terms but it was nothing short of a demand made on the management. On the second point the Tribunal found that no industrial dispute existed between the Bank and its workmen. It held that an individual dispute cannot become an industrial dispute under Section 2(K) of the I. D. Act unless it is espoused by the union of workmen or majority of workmen employed in the establishment and a demand is

made by either of them prior to the commencement of the conciliation proceedings. In the above circumstances the Tribunal by award dated the 1st May, 1976 held that the reference made by the Government was not competent and accordingly rejected it.

3. The present reference as already stated above was made on the 20th July, 1976.

4. The preliminary objection that has been taken on behalf of the Bank of Baroda is that the Award dated the 1st May, 1976 in Reference No. CGIT-38 of 1975 was received by the Central Government and it was published by notification dated the 17th June, 1976. The Award being in force and no notice for its cancellation having been given under Section 19(6) of the Act, it was submitted that no fresh dispute could be raised. It is also the Bank's contention that no demand having been served on the management there can be no industrial dispute within the meaning of Section 2(K) of the Act.

5. The learned Counsel on behalf of the workman strongly urged that the previous reference was not disposed of on merit and as such did not bar the present reference. In support of his contention he placed reliance on the Management of Pandavapura Sahakari Sakare Karkhana Ltd v. State of Mysore and others (F.L.R. 1968 (17) 425). What had happened in that case was that when on the second time adjournment was asked by the workmen the prayer was refused and the Tribunal disposed of the reference observing : "From the Charter of demands it is clear that the first Party has to establish their right to those demands. The attitude adopted by the Secretary indicates that the First Party workmen were not very keen about prosecuting this case. I, therefore, find that the First Party has failed to substantiate the Reference. For the above said reasons the Reference fails and the same is rejected". This was on the 8th August, 1967 and this was treated by the Government as an award and published in the Gazette. Thereafter Government made another reference. It was held in the above case that "Even when the workmen were placed ex-parte the Tribunal was not absolved of its duty to make its determination on the industrial dispute which it was called upon to decide. The determination which Section 2(b) of the Act speaks of is adjudication on merits. Rejecting the reference on the ground that the first party (Union) has failed to substantiate the reference is not valid disposal; and is no bar to a fresh reference". It will be noticed that the facts of the present case are entirely different. It was after hearing the parties fully and considering the points raised that the Tribunal made an Award and it was not an ex-parte affair.

6. Law as to the maintainability of the second reference has been laid down in sub-Sections (3) and (6) of Section 19 of the Act. Under sub-Section (3) of Section 19 an Award shall, subject to the provision of the section, remain in operation for a period of one year from the date on which the award becomes enforceable under Section 17A. Under sub-Section (6) notwithstanding the expiry of the period of operation under sub-Section (3), award shall continue to be binding on the parties until a period of two months has elapsed from the date on which notice is given, by any party bound by the award to the other party or parties intimating its intention to terminate the award. That these provisions are mandatory will appear from the decision of the Supreme Court in Aluminium Factory Workers' Union v. Indian Aluminium Co. Ltd. (1962, 1, 111, 210) and in Bangalore Woollen, Cotton and Silk Mills Company Ltd. v. Their workman and another (1968, 1, 111, 555). It will also appear from this latter case that before the Tribunal only two preliminary objections were raised and the Tribunal recorded its findings thereupon. Even then the Supreme Court held that bar of Section 19(6) was fully attracted. In my opinion, therefore, although the previous reference decided the question that there was no industrial dispute provisions of sub-Section (6) of Section 19 Operates as a bar to the present reference. For the reasons given above the reference made by the Government of India, Ministry of Labour by its order No. L-12012/96/75-D-II(A) dated the 20th July, 1976 is incompetent and it is accordingly rejected, but in the circumstances without any costs.

J. NARAIN, Presiding Officer

[F. No. L-12012/96/75-D. II. A]

R. P. NARUIA, Under Secy